A/58/49 (Vol. I)

United Nations

Resolutions
and
Decisions

adopted by the General Assembly during its fifty-eighth session

Volume I

Resolutions

16 September – 23 December 2003

General Assembly
Official Records • Fifty-eighth Session
Supplement No. 49 (A/58/49)

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United Nations • New York, 2004

NOTE

The resolutions and decisions of the General Assembly are identified as follows:

Regular sessions

Until the thirtieth regular session, the resolutions of the General Assembly were identified by an arabic numeral followed by a roman numeral in parentheses indicating the session (for example: resolution 3363 (XXX)). When several resolutions were adopted under the same number, each of them was identified by a capital letter placed between the two numerals (for example: resolution 3367 A (XXX), resolutions 3411 A and B (XXX), resolutions 3419 A to D (XXX)). The decisions were not numbered.

Since the thirty-first session, as part of the new system adopted for symbols of General Assembly documents, resolutions and decisions have been identified by an arabic numeral, indicating the session, followed by an oblique stroke and another arabic numeral (for example: resolution 31/1, decision 31/301). When several resolutions or decisions were adopted under the same number, each of them has been identified by a capital letter placed after the two numerals (for example: resolution 31/16 A, resolutions 31/6 A and B, decisions 31/406 A to E).

Special sessions

Until the seventh special session, the resolutions of the General Assembly were identified by an arabic numeral followed, in parentheses, by the letter "S" and a roman numeral indicating the session (for example: resolution 3362 (S-VII)). The decisions were not numbered.

Since the eighth special session, resolutions and decisions have been identified by the letter "S" and an arabic numeral indicating the session, followed by an oblique stroke and another arabic numeral (for example: resolution S-8/1, decision S-8/11).

Emergency special sessions

Until the fifth emergency special session, the resolutions of the General Assembly were identified by an arabic numeral followed, in parentheses, by the letters "ES" and a roman numeral indicating the session (for example: resolution 2252 (ES-V)). The decisions were not numbered.

Since the sixth emergency special session, resolutions and decisions have been identified by the letters "ES" and an arabic numeral indicating the session, followed by an oblique stroke and another arabic numeral (for example: resolution ES-6/1, decision ES-6/11).

In each of the series described above, the numbering follows the order of adoption.

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The present volume contains the resolutions adopted by the General Assembly from 16 September to 23 December 2003, as well as the information requested by the Assembly in section C, paragraph 3, of its resolution 54/248 of 23 December 1999. Decisions adopted by the Assembly during this period appear in volume II. Resolutions and decisions adopted subsequently during the fifty-eighth session will be published in volume III.

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RESOLUTION 58/2

Adopted at the 34th plenary meeting, on 16 October 2003, without a vote, on the basis of draft resolution A/58/L.1, submitted by the President of the General Assembly

58/2. Open-ended panel of the General Assembly on commodities

The General Assembly,

Recalling its resolution 57/236 of 20 December 2002,

1. *Decides* to convene an open-ended panel of the General Assembly on commodities, to be chaired by the President of the General Assembly, with a maximum of six panellists from among the independent eminent persons and lead discussants, on 27 October 2003, from 3 to 5 p.m.;

2. *Also decides* that the President of the General Assembly will present a summary of the discussions of the open-ended panel at the beginning of the debate in the Second Committee on the item dealing with commodities.

RESOLUTION 58/3

Adopted at the 43rd plenary meeting, on 27 October 2003, without a vote, on the basis of draft resolution A/58/L.5 and Add.1, sponsored by: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Ecuador, Egypt, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Greece, Guinea, Guinea-Bissau, Guyana, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Singapore, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

58/3. Enhancing capacity-building in global public health

The General Assembly,

Recalling the United Nations Millennium Declaration,[1] adopted by heads of State and Government at the Millennium Summit of the United Nations, and the development goals contained therein, in particular the health-related development goals, and its resolutions 55/162 of 14 December 2000, 56/95 of 14 December 2001 and 57/144 of 16 December 2002,

Bearing in mind World Health Assembly resolutions 48.13 of 12 May 1995, 54.14 of 21 May 2001 and 56.28 and 56.29 of 28 May 2003,

Recognizing that Member States have to strengthen their efforts to halt and begin to reverse, by 2015, the spread of HIV/AIDS and the incidence of malaria and other major diseases,

Reaffirming its Declaration of Commitment on HIV/AIDS,[2]

Recognizing that the globalization of trade and increased international travel have increased the risk of a rapid worldwide spread of infectious diseases, posing new challenges to public health,

Noting with concern the deleterious impact on humankind of HIV/AIDS, tuberculosis, malaria and other major infectious diseases and epidemics, and the heavy disease burden borne by poor people, especially in developing countries,

Welcoming the current success of the affected countries in combating the severe acute respiratory syndrome, the first severe infectious disease to emerge in the twenty-first century, the political commitment and strong leadership shown in the affected countries and the role of the World Health Organization in controlling the epidemic, while mindful of the fact that the fight against the severe acute respiratory syndrome and other epidemics is far from over,

Convinced that strengthening public health is critical to the development of all Member States, and that economic and social development are enhanced through measures that strengthen capacity-building in public health, including systems of prevention of and immunization against infectious diseases,

Emphasizing that Member States have primary responsibility for strengthening their capacity-building in public health to detect and respond rapidly to outbreaks of major infectious diseases, through the establishment and improvement of effective public health mechanisms, while recognizing that the magnitude of the necessary response may be beyond the capabilities of many developing countries,

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[1] See resolution 55/2.

[2] Resolution S-26/2, annex.

Convinced that the control of outbreaks of diseases, particularly new diseases whose origins remain unknown, requires international and regional cooperation,

Recognizing the need for greater international and regional cooperation to meet new and existing challenges to public health, in particular in promoting effective measures such as vaccines, as well as to assist developing countries in securing vaccines against preventable infectious diseases,

Recognizing also the expertise of the World Health Organization and its role in, inter alia, coordinating actions with Member States in the areas of information exchange, personnel training, technical support, resource utilization, the improvement of global public health preparedness and response mechanisms and stimulating and advancing work on the prevention, control and eradication of epidemic, endemic and other diseases, as well as the work of the World Health Organization office dedicated to communicable diseases surveillance and response,

Underscoring the continued importance of the International Health Regulations as an instrument for ensuring the maximum possible protection against the international spread of diseases with minimum interference in international traffic, and urging Member States to give high priority to the work on the revision of the Regulations,

Welcoming the efforts of the World Health Organization, in cooperation with Member States, the United Nations system, the Bretton Woods institutions, the private sector and civil society, in enhancing capacity-building in global public health and in promoting public health at the country level,

Welcoming also the Doha Declaration on the Agreement on Trade-Related Aspects of Intellectual Property Rights and Public Health, adopted on 14 November 2001,[3] and noting the decision of the World Trade Organization General Council of 30 August 2003 on the implementation of paragraph 6 of the Declaration,[4]

Recognizing the need to strengthen national health and social infrastructures to reinforce measures to eliminate discrimination in access to public health, information and education for all people, and especially for the most underserved and vulnerable groups,

1. *Urges* Member States to further integrate public health into their national economic and social development strategies, including through the establishment and improvement of effective public health mechanisms, in particular networks of disease surveillance, response, control, prevention, treatment and information exchange and the recruitment and training of national public health personnel;

2. *Calls upon* Member States and the international community to raise awareness of good public health practices, including through education and the mass media;

3. *Emphasizes* the importance of active international cooperation in the control of infectious diseases, based on the principles of mutual respect and equality, with a view to strengthening capacity-building in public health, especially in developing countries, including through the exchange of information and the sharing of experience, as well as research and training programmes focusing on surveillance, prevention, control, response, and care and treatment in respect of infectious diseases, and vaccines against them;

4. *Calls* for the improvement of the global public health preparedness and response systems, including systems of prevention and monitoring of infectious diseases, to better cope with major diseases, including in cases of global outbreaks of new diseases;

5. *Encourages* Member States to participate actively in the verification and validation of surveillance data and information concerning public health emergencies of international concern and, in close collaboration with the World Health Organization, to exchange information and experience in a timely and open manner on epidemics and the prevention and control of emerging and re-emerging infectious diseases that pose a risk to global public health;

6. *Invites* the regional commissions of the Economic and Social Council, as appropriate, to cooperate closely with Member States, the private sector and civil society, when requested, in their capacity-building in public health, as well as in regional cooperation to diminish and eliminate the deleterious impact of major infectious diseases;

7. *Encourages* Member States, as well as United Nations agencies, bodies, funds and programmes, in accordance with their respective mandates, to continue to address public health concerns in their development activities and programmes, and to actively support capacity-building in global public health and health care institutions;

8. *Requests* the Secretary-General to include observations on the issue of enhancing capacity-building in global public health in his report on the follow-up to the outcome of the Millennium Summit of the United Nations to be submitted to the General Assembly at its fifty-ninth session.

RESOLUTION 58/4

Adopted at the 51st plenary meeting, on 31 October 2003, without a vote, on the basis of the report of the Ad Hoc Committee for the Negotiation of a Convention against Corruption (A/58/422)

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[3] WT/MIN(01)/DEC/2. Available from http://docsonline.wto.org.

[4] WT/L/540. Available from http://docsonline.wto.org.

58/4. United Nations Convention against Corruption

The General Assembly,

Recalling its resolution 55/61 of 4 December 2000, in which it established an ad hoc committee for the negotiation of an effective international legal instrument against corruption and requested the Secretary-General to convene an intergovernmental open-ended expert group to examine and prepare draft terms of reference for the negotiation of such an instrument, and its resolution 55/188 of 20 December 2000, in which it invited the intergovernmental open-ended expert group to be convened pursuant to resolution 55/61 to examine the question of illegally transferred funds and the return of such funds to the countries of origin,

Recalling also its resolutions 56/186 of 21 December 2001 and 57/244 of 20 December 2002 on preventing and combating corrupt practices and transfer of funds of illicit origin and returning such funds to the countries of origin,

Recalling further its resolution 56/260 of 31 January 2002, in which it requested the Ad Hoc Committee for the Negotiation of a Convention against Corruption to complete its work by the end of 2003,

Recalling its resolution 57/169 of 18 December 2002, in which it accepted with appreciation the offer made by the Government of Mexico to host a high-level political conference for the purpose of signing the convention and requested the Secretary-General to schedule the conference for a period of three days before the end of 2003,

Recalling also Economic and Social Council resolution 2001/13 of 24 July 2001, entitled "Strengthening international cooperation in preventing and combating the transfer of funds of illicit origin, derived from acts of corruption, including the laundering of funds, and in returning such funds",

Expressing its appreciation to the Government of Argentina for hosting the informal preparatory meeting of the Ad Hoc Committee for the Negotiation of a Convention against Corruption in Buenos Aires from 4 to 7 December 2001,

Recalling the Monterrey Consensus, adopted by the International Conference on Financing for Development, held in Monterrey, Mexico, from 18 to 22 March 2002,[5] in which it was underlined that fighting corruption at all levels was a priority,

Recalling also the Johannesburg Declaration on Sustainable Development, adopted by the World Summit on Sustainable Development, held in Johannesburg, South Africa, from 26 August to 4 September 2002,[6] in particular paragraph 19 thereof, in which corruption was declared a threat to the sustainable development of people,

Concerned about the seriousness of problems and threats posed by corruption to the stability and security of societies, undermining the institutions and values of democracy, ethical values and justice and jeopardizing sustainable development and the rule of law,

1. *Takes note* of the report of the Ad Hoc Committee for the Negotiation of a Convention against Corruption,[7] which carried out its work at the headquarters of the United Nations Office on Drugs and Crime in Vienna, in which the Ad Hoc Committee submitted the final text of the draft United Nations Convention against Corruption to the General Assembly for its consideration and action, and commends the Ad Hoc Committee for its work;

2. *Adopts* the United Nations Convention against Corruption annexed to the present resolution, and opens it for signature at the High-level Political Signing Conference to be held in Merida, Mexico, from 9 to 11 December 2003, in accordance with resolution 57/169;

3. *Urges* all States and competent regional economic integration organizations to sign and ratify the United Nations Convention against Corruption as soon as possible in order to ensure its rapid entry into force;

4. *Decides* that, until the Conference of the States Parties to the Convention established pursuant to the United Nations Convention against Corruption decides otherwise, the account referred to in article 62 of the Convention will be operated within the United Nations Crime Prevention and Criminal Justice Fund, and encourages Member States to begin making adequate voluntary contributions to the above-mentioned account for the provision to developing countries and countries with economies in transition of the technical assistance that they might require to prepare for ratification and implementation of the Convention;

5. *Also decides* that the Ad Hoc Committee for the Negotiation of a Convention against Corruption will complete its tasks arising from the negotiation of the United Nations Convention against Corruption by holding a meeting well before the convening of the first session of the Conference of the States Parties to the Convention in order to prepare the draft text of the rules of procedure of the Conference of the States Parties and of other rules described in article 63 of the Convention, which will be submitted to the Conference of the States Parties at its first session for consideration;

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[5] *Report of the International Conference on Financing for Development, Monterrey, Mexico, 18–22 March 2002* (United Nations publication, Sales No. E.02.II.A.7), chap. I, resolution 1, annex.

[6] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 1, annex.

[7] A/58/422 and Add.1.

6. *Requests* the Conference of the States Parties to the Convention to address the criminalization of bribery of officials of public international organizations, including the United Nations, and related issues, taking into account questions of privileges and immunities, as well as of jurisdiction and the role of international organizations, by, inter alia, making recommendations regarding appropriate action in that regard;

7. *Decides* that, in order to raise awareness of corruption and of the role of the Convention in combating and preventing it, 9 December should be designated International Anti-Corruption Day;

8. *Requests* the Secretary-General to designate the United Nations Office on Drugs and Crime to serve as the secretariat for and under the direction of the Conference of the States Parties to the Convention;

9. *Also requests* the Secretary-General to provide the United Nations Office on Drugs and Crime with the resources necessary to enable it to promote in an effective manner the rapid entry into force of the United Nations Convention against Corruption and to discharge the functions of secretariat of the Conference of the States Parties to the Convention, and to support the Ad Hoc Committee in its work pursuant to paragraph 5 above;

10. *Further requests* the Secretary-General to prepare a comprehensive report on the High-level Political Signing Conference to be held in Merida, Mexico, in accordance with resolution 57/169, for submission to the General Assembly at its fifty-ninth session.

Annex

United Nations Convention against Corruption

Preamble

The States Parties to this Convention,

Concerned about the seriousness of problems and threats posed by corruption to the stability and security of societies, undermining the institutions and values of democracy, ethical values and justice and jeopardizing sustainable development and the rule of law,

Concerned also about the links between corruption and other forms of crime, in particular organized crime and economic crime, including money-laundering,

Concerned further about cases of corruption that involve vast quantities of assets, which may constitute a substantial proportion of the resources of States, and that threaten the political stability and sustainable development of those States,

Convinced that corruption is no longer a local matter but a transnational phenomenon that affects all societies and economies, making international cooperation to prevent and control it essential,

Convinced also that a comprehensive and multidisciplinary approach is required to prevent and combat corruption effectively,

Convinced further that the availability of technical assistance can play an important role in enhancing the ability of States, including by strengthening capacity and by institution-building, to prevent and combat corruption effectively,

Convinced that the illicit acquisition of personal wealth can be particularly damaging to democratic institutions, national economies and the rule of law,

Determined to prevent, detect and deter in a more effective manner international transfers of illicitly acquired assets and to strengthen international cooperation in asset recovery,

Acknowledging the fundamental principles of due process of law in criminal proceedings and in civil or administrative proceedings to adjudicate property rights,

Bearing in mind that the prevention and eradication of corruption is a responsibility of all States and that they must cooperate with one another, with the support and involvement of individuals and groups outside the public sector, such as civil society, non-governmental organizations and community-based organizations, if their efforts in this area are to be effective,

Bearing also in mind the principles of proper management of public affairs and public property, fairness, responsibility and equality before the law and the need to safeguard integrity and to foster a culture of rejection of corruption,

Commending the work of the Commission on Crime Prevention and Criminal Justice and the United Nations Office on Drugs and Crime in preventing and combating corruption,

Recalling the work carried out by other international and regional organizations in this field, including the activities of the African Union, the Council of Europe, the Customs Cooperation Council (also known as the World Customs Organization), the European Union, the League of Arab States, the Organisation for Economic Cooperation and Development and the Organization of American States,

Taking note with appreciation of multilateral instruments to prevent and combat corruption, including, inter alia, the Inter-American Convention against Corruption, adopted by the Organization of American States on 29 March 1996,[8] the Convention on the Fight against Corruption involving Officials of the European Communities or Officials of Member States of the European Union, adopted by the Council of the European Union on 26 May 1997,[9] the Convention on Combating Bribery of Foreign Public Officials in International Business Transactions, adopted by the Organisation for Economic

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[8] See E/1996/99.

[9] *Official Journal of the European Communities*, C 195, 25 June 1997.

Cooperation and Development on 21 November 1997,[10] the Criminal Law Convention on Corruption, adopted by the Committee of Ministers of the Council of Europe on 27 January 1999,[11] the Civil Law Convention on Corruption, adopted by the Committee of Ministers of the Council of Europe on 4 November 1999,[12] and the African Union Convention on Preventing and Combating Corruption, adopted by the Heads of State and Government of the African Union on 12 July 2003,

Welcoming the entry into force on 29 September 2003 of the United Nations Convention against Transnational Organized Crime,[13]

Have agreed as follows:

Chapter I
General provisions

Article 1
Statement of purpose

The purposes of this Convention are:

(*a*) To promote and strengthen measures to prevent and combat corruption more efficiently and effectively;

(*b*) To promote, facilitate and support international cooperation and technical assistance in the prevention of and fight against corruption, including in asset recovery;

(*c*) To promote integrity, accountability and proper management of public affairs and public property.

Article 2
Use of terms

For the purposes of this Convention:

(*a*) "Public official" shall mean: (i) any person holding a legislative, executive, administrative or judicial office of a State Party, whether appointed or elected, whether permanent or temporary, whether paid or unpaid, irrespective of that person's seniority; (ii) any other person who performs a public function, including for a public agency or public enterprise, or provides a public service, as defined in the domestic law of the State Party and as applied in the pertinent area of law of that State Party; (iii) any other person defined as a "public official" in the domestic law of a State Party. However, for the purpose of some specific measures contained in chapter II of this Convention, "public official" may mean any person who performs a public function or provides a public service as defined in the domestic law of the State Party and as applied in the pertinent area of law of that State Party;

(*b*) "Foreign public official" shall mean any person holding a legislative, executive, administrative or judicial office of a foreign country, whether appointed or elected; and any person exercising a public function for a foreign country, including for a public agency or public enterprise;

(*c*) "Official of a public international organization" shall mean an international civil servant or any person who is authorized by such an organization to act on behalf of that organization;

(*d*) "Property" shall mean assets of every kind, whether corporeal or incorporeal, movable or immovable, tangible or intangible, and legal documents or instruments evidencing title to or interest in such assets;

(*e*) "Proceeds of crime" shall mean any property derived from or obtained, directly or indirectly, through the commission of an offence;

(*f*) "Freezing" or "seizure" shall mean temporarily prohibiting the transfer, conversion, disposition or movement of property or temporarily assuming custody or control of property on the basis of an order issued by a court or other competent authority;

(*g*) "Confiscation", which includes forfeiture where applicable, shall mean the permanent deprivation of property by order of a court or other competent authority;

(*h*) "Predicate offence" shall mean any offence as a result of which proceeds have been generated that may become the subject of an offence as defined in article 23 of this Convention;

(*i*) "Controlled delivery" shall mean the technique of allowing illicit or suspect consignments to pass out of, through or into the territory of one or more States, with the knowledge and under the supervision of their competent authorities, with a view to the investigation of an offence and the identification of persons involved in the commission of the offence.

Article 3
Scope of application

1. This Convention shall apply, in accordance with its terms, to the prevention, investigation and prosecution of corruption and to the freezing, seizure, confiscation and return of the proceeds of offences established in accordance with this Convention.

2. For the purposes of implementing this Convention, it shall not be necessary, except as otherwise stated herein, for the offences set forth in it to result in damage or harm to state property.

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[10] See *Corruption and Integrity Improvement Initiatives in Developing Countries* (United Nations publication, Sales No. E.98.III.B.18).

[11] Council of Europe, *European Treaty Series*, No. 173.

[12] Ibid., No. 174.

[13] General Assembly resolution 55/25, annex I.

Article 4
Protection of sovereignty

1. States Parties shall carry out their obligations under this Convention in a manner consistent with the principles of sovereign equality and territorial integrity of States and that of non-intervention in the domestic affairs of other States.

2. Nothing in this Convention shall entitle a State Party to undertake in the territory of another State the exercise of jurisdiction and performance of functions that are reserved exclusively for the authorities of that other State by its domestic law.

Chapter II
Preventive measures

Article 5
Preventive anti-corruption policies and practices

1. Each State Party shall, in accordance with the fundamental principles of its legal system, develop and implement or maintain effective, coordinated anti-corruption policies that promote the participation of society and reflect the principles of the rule of law, proper management of public affairs and public property, integrity, transparency and accountability.

2. Each State Party shall endeavour to establish and promote effective practices aimed at the prevention of corruption.

3. Each State Party shall endeavour to periodically evaluate relevant legal instruments and administrative measures with a view to determining their adequacy to prevent and fight corruption.

4. States Parties shall, as appropriate and in accordance with the fundamental principles of their legal system, collaborate with each other and with relevant international and regional organizations in promoting and developing the measures referred to in this article. That collaboration may include participation in international programmes and projects aimed at the prevention of corruption.

Article 6
Preventive anti-corruption body or bodies

1. Each State Party shall, in accordance with the fundamental principles of its legal system, ensure the existence of a body or bodies, as appropriate, that prevent corruption by such means as:

(*a*) Implementing the policies referred to in article 5 of this Convention and, where appropriate, overseeing and coordinating the implementation of those policies;

(*b*) Increasing and disseminating knowledge about the prevention of corruption.

2. Each State Party shall grant the body or bodies referred to in paragraph 1 of this article the necessary independence, in accordance with the fundamental principles of its legal system, to enable the body or bodies to carry out its or their functions effectively and free from any undue influence. The necessary material resources and specialized staff, as well as the training that such staff may require to carry out their functions, should be provided.

3. Each State Party shall inform the Secretary-General of the United Nations of the name and address of the authority or authorities that may assist other States Parties in developing and implementing specific measures for the prevention of corruption.

Article 7
Public sector

1. Each State Party shall, where appropriate and in accordance with the fundamental principles of its legal system, endeavour to adopt, maintain and strengthen systems for the recruitment, hiring, retention, promotion and retirement of civil servants and, where appropriate, other non-elected public officials:

(*a*) That are based on principles of efficiency, transparency and objective criteria such as merit, equity and aptitude;

(*b*) That include adequate procedures for the selection and training of individuals for public positions considered especially vulnerable to corruption and the rotation, where appropriate, of such individuals to other positions;

(*c*) That promote adequate remuneration and equitable pay scales, taking into account the level of economic development of the State Party;

(*d*) That promote education and training programmes to enable them to meet the requirements for the correct, honourable and proper performance of public functions and that provide them with specialized and appropriate training to enhance their awareness of the risks of corruption inherent in the performance of their functions. Such programmes may make reference to codes or standards of conduct in applicable areas.

2. Each State Party shall also consider adopting appropriate legislative and administrative measures, consistent with the objectives of this Convention and in accordance with the fundamental principles of its domestic law, to prescribe criteria concerning candidature for and election to public office.

3. Each State Party shall also consider taking appropriate legislative and administrative measures, consistent with the objectives of this Convention and in accordance with the fundamental principles of its domestic law, to enhance transparency in the funding of candidatures for elected public office and, where applicable, the funding of political parties.

4. Each State Party shall, in accordance with the fundamental principles of its domestic law, endeavour to adopt,

maintain and strengthen systems that promote transparency and prevent conflicts of interest.

Article 8
Codes of conduct for public officials

1. In order to fight corruption, each State Party shall promote, inter alia, integrity, honesty and responsibility among its public officials, in accordance with the fundamental principles of its legal system.

2. In particular, each State Party shall endeavour to apply, within its own institutional and legal systems, codes or standards of conduct for the correct, honourable and proper performance of public functions.

3. For the purposes of implementing the provisions of this article, each State Party shall, where appropriate and in accordance with the fundamental principles of its legal system, take note of the relevant initiatives of regional, interregional and multilateral organizations, such as the International Code of Conduct for Public Officials contained in the annex to General Assembly resolution 51/59 of 12 December 1996.

4. Each State Party shall also consider, in accordance with the fundamental principles of its domestic law, establishing measures and systems to facilitate the reporting by public officials of acts of corruption to appropriate authorities, when such acts come to their notice in the performance of their functions.

5. Each State Party shall endeavour, where appropriate and in accordance with the fundamental principles of its domestic law, to establish measures and systems requiring public officials to make declarations to appropriate authorities regarding, inter alia, their outside activities, employment, investments, assets and substantial gifts or benefits from which a conflict of interest may result with respect to their functions as public officials.

6. Each State Party shall consider taking, in accordance with the fundamental principles of its domestic law, disciplinary or other measures against public officials who violate the codes or standards established in accordance with this article.

Article 9
Public procurement and management of public finances

1. Each State Party shall, in accordance with the fundamental principles of its legal system, take the necessary steps to establish appropriate systems of procurement, based on transparency, competition and objective criteria in decision-making, that are effective, inter alia, in preventing corruption. Such systems, which may take into account appropriate threshold values in their application, shall address, inter alia:

(*a*) The public distribution of information relating to procurement procedures and contracts, including information on invitations to tender and relevant or pertinent information on the award of contracts, allowing potential tenderers sufficient time to prepare and submit their tenders;

(*b*) The establishment, in advance, of conditions for participation, including selection and award criteria and tendering rules, and their publication;

(*c*) The use of objective and predetermined criteria for public procurement decisions, in order to facilitate the subsequent verification of the correct application of the rules or procedures;

(*d*) An effective system of domestic review, including an effective system of appeal, to ensure legal recourse and remedies in the event that the rules or procedures established pursuant to this paragraph are not followed;

(*e*) Where appropriate, measures to regulate matters regarding personnel responsible for procurement, such as declaration of interest in particular public procurements, screening procedures and training requirements.

2. Each State Party shall, in accordance with the fundamental principles of its legal system, take appropriate measures to promote transparency and accountability in the management of public finances. Such measures shall encompass, inter alia:

(*a*) Procedures for the adoption of the national budget;

(*b*) Timely reporting on revenue and expenditure;

(*c*) A system of accounting and auditing standards and related oversight;

(*d*) Effective and efficient systems of risk management and internal control; and

(*e*) Where appropriate, corrective action in the case of failure to comply with the requirements established in this paragraph.

3. Each State Party shall take such civil and administrative measures as may be necessary, in accordance with the fundamental principles of its domestic law, to preserve the integrity of accounting books, records, financial statements or other documents related to public expenditure and revenue and to prevent the falsification of such documents.

Article 10
Public reporting

Taking into account the need to combat corruption, each State Party shall, in accordance with the fundamental principles of its domestic law, take such measures as may be necessary to enhance transparency in its public administration, including with regard to its organization, functioning and decision-making processes, where appropriate. Such measures may include, inter alia:

(*a*) Adopting procedures or regulations allowing members of the general public to obtain, where appropriate, information on the organization, functioning and decision-making processes of its public administration and, with due regard for the protection of privacy and personal data, on decisions and legal acts that concern members of the public;

(*b*) Simplifying administrative procedures, where appropriate, in order to facilitate public access to the competent decision-making authorities; and

(*c*) Publishing information, which may include periodic reports on the risks of corruption in its public administration.

Article 11

Measures relating to the judiciary and prosecution services

1. Bearing in mind the independence of the judiciary and its crucial role in combating corruption, each State Party shall, in accordance with the fundamental principles of its legal system and without prejudice to judicial independence, take measures to strengthen integrity and to prevent opportunities for corruption among members of the judiciary. Such measures may include rules with respect to the conduct of members of the judiciary.

2. Measures to the same effect as those taken pursuant to paragraph 1 of this article may be introduced and applied within the prosecution service in those States Parties where it does not form part of the judiciary but enjoys independence similar to that of the judicial service.

Article 12

Private sector

1. Each State Party shall take measures, in accordance with the fundamental principles of its domestic law, to prevent corruption involving the private sector, enhance accounting and auditing standards in the private sector and, where appropriate, provide effective, proportionate and dissuasive civil, administrative or criminal penalties for failure to comply with such measures.

2. Measures to achieve these ends may include, inter alia:

(*a*) Promoting cooperation between law enforcement agencies and relevant private entities;

(*b*) Promoting the development of standards and procedures designed to safeguard the integrity of relevant private entities, including codes of conduct for the correct, honourable and proper performance of the activities of business and all relevant professions and the prevention of conflicts of interest, and for the promotion of the use of good commercial practices among businesses and in the contractual relations of businesses with the State;

(*c*) Promoting transparency among private entities, including, where appropriate, measures regarding the identity of legal and natural persons involved in the establishment and management of corporate entities;

(*d*) Preventing the misuse of procedures regulating private entities, including procedures regarding subsidies and licences granted by public authorities for commercial activities;

(*e*) Preventing conflicts of interest by imposing restrictions, as appropriate and for a reasonable period of time, on the professional activities of former public officials or on the employment of public officials by the private sector after their resignation or retirement, where such activities or employment relate directly to the functions held or supervised by those public officials during their tenure;

(*f*) Ensuring that private enterprises, taking into account their structure and size, have sufficient internal auditing controls to assist in preventing and detecting acts of corruption and that the accounts and required financial statements of such private enterprises are subject to appropriate auditing and certification procedures.

3. In order to prevent corruption, each State Party shall take such measures as may be necessary, in accordance with its domestic laws and regulations regarding the maintenance of books and records, financial statement disclosures and accounting and auditing standards, to prohibit the following acts carried out for the purpose of committing any of the offences established in accordance with this Convention:

(*a*) The establishment of off-the-books accounts;

(*b*) The making of off-the-books or inadequately identified transactions;

(*c*) The recording of non-existent expenditure;

(*d*) The entry of liabilities with incorrect identification of their objects;

(*e*) The use of false documents; and

(*f*) The intentional destruction of bookkeeping documents earlier than foreseen by the law.

4. Each State Party shall disallow the tax deductibility of expenses that constitute bribes, the latter being one of the constituent elements of the offences established in accordance with articles 15 and 16 of this Convention and, where appropriate, other expenses incurred in furtherance of corrupt conduct.

Article 13

Participation of society

1. Each State Party shall take appropriate measures, within its means and in accordance with fundamental principles of its domestic law, to promote the active participation of individuals and groups outside the public sector, such as civil society, non-governmental organizations and community-based organizations, in the prevention of and the fight against corruption and to raise

public awareness regarding the existence, causes and gravity of and the threat posed by corruption. This participation should be strengthened by such measures as:

(*a*) Enhancing the transparency of and promoting the contribution of the public to decision-making processes;

(*b*) Ensuring that the public has effective access to information;

(*c*) Undertaking public information activities that contribute to non-tolerance of corruption, as well as public education programmes, including school and university curricula;

(*d*) Respecting, promoting and protecting the freedom to seek, receive, publish and disseminate information concerning corruption. That freedom may be subject to certain restrictions, but these shall only be such as are provided for by law and are necessary:

(i) For respect of the rights or reputations of others;

(ii) For the protection of national security or *ordre public* or of public health or morals.

2. Each State Party shall take appropriate measures to ensure that the relevant anti-corruption bodies referred to in this Convention are known to the public and shall provide access to such bodies, where appropriate, for the reporting, including anonymously, of any incidents that may be considered to constitute an offence established in accordance with this Convention.

Article 14
Measures to prevent money-laundering

1. Each State Party shall:

(*a*) Institute a comprehensive domestic regulatory and supervisory regime for banks and non-bank financial institutions, including natural or legal persons that provide formal or informal services for the transmission of money or value and, where appropriate, other bodies particularly susceptible to money-laundering, within its competence, in order to deter and detect all forms of money-laundering, which regime shall emphasize requirements for customer and, where appropriate, beneficial owner identification, record-keeping and the reporting of suspicious transactions;

(*b*) Without prejudice to article 46 of this Convention, ensure that administrative, regulatory, law enforcement and other authorities dedicated to combating money-laundering (including, where appropriate under domestic law, judicial authorities) have the ability to cooperate and exchange information at the national and international levels within the conditions prescribed by its domestic law and, to that end, shall consider the establishment of a financial intelligence unit to serve as a national centre for the collection, analysis and dissemination of information regarding potential money-laundering.

2. States Parties shall consider implementing feasible measures to detect and monitor the movement of cash and appropriate negotiable instruments across their borders, subject to safeguards to ensure proper use of information and without impeding in any way the movement of legitimate capital. Such measures may include a requirement that individuals and businesses report the cross-border transfer of substantial quantities of cash and appropriate negotiable instruments.

3. States Parties shall consider implementing appropriate and feasible measures to require financial institutions, including money remitters:

(*a*) To include on forms for the electronic transfer of funds and related messages accurate and meaningful information on the originator;

(*b*) To maintain such information throughout the payment chain; and

(*c*) To apply enhanced scrutiny to transfers of funds that do not contain complete information on the originator.

4. In establishing a domestic regulatory and supervisory regime under the terms of this article, and without prejudice to any other article of this Convention, States Parties are called upon to use as a guideline the relevant initiatives of regional, interregional and multilateral organizations against money-laundering.

5. States Parties shall endeavour to develop and promote global, regional, subregional and bilateral cooperation among judicial, law enforcement and financial regulatory authorities in order to combat money-laundering.

Chapter III
Criminalization and law enforcement

Article 15
Bribery of national public officials

Each State Party shall adopt such legislative and other measures as may be necessary to establish as criminal offences, when committed intentionally:

(*a*) The promise, offering or giving, to a public official, directly or indirectly, of an undue advantage, for the official himself or herself or another person or entity, in order that the official act or refrain from acting in the exercise of his or her official duties;

(*b*) The solicitation or acceptance by a public official, directly or indirectly, of an undue advantage, for the official himself or herself or another person or entity, in order that the official act or refrain from acting in the exercise of his or her official duties.

Article 16
Bribery of foreign public officials and officials of public international organizations

1. Each State Party shall adopt such legislative and other measures as may be necessary to establish as a criminal offence, when committed intentionally, the promise, offering or giving to a foreign public official or an official of a public international organization, directly or indirectly, of an undue advantage, for the official himself or herself or another person or entity, in order that the official act or refrain from acting in the exercise of his or her official duties, in order to obtain or retain business or other undue advantage in relation to the conduct of international business.

2. Each State Party shall consider adopting such legislative and other measures as may be necessary to establish as a criminal offence, when committed intentionally, the solicitation or acceptance by a foreign public official or an official of a public international organization, directly or indirectly, of an undue advantage, for the official himself or herself or another person or entity, in order that the official act or refrain from acting in the exercise of his or her official duties.

Article 17
Embezzlement, misappropriation or other diversion of property by a public official

Each State Party shall adopt such legislative and other measures as may be necessary to establish as criminal offences, when committed intentionally, the embezzlement, misappropriation or other diversion by a public official for his or her benefit or for the benefit of another person or entity, of any property, public or private funds or securities or any other thing of value entrusted to the public official by virtue of his or her position.

Article 18
Trading in influence

Each State Party shall consider adopting such legislative and other measures as may be necessary to establish as criminal offences, when committed intentionally:

(*a*) The promise, offering or giving to a public official or any other person, directly or indirectly, of an undue advantage in order that the public official or the person abuse his or her real or supposed influence with a view to obtaining from an administration or public authority of the State Party an undue advantage for the original instigator of the act or for any other person;

(*b*) The solicitation or acceptance by a public official or any other person, directly or indirectly, of an undue advantage for himself or herself or for another person in order that the public official or the person abuse his or her real or supposed influence with a view to obtaining from an administration or public authority of the State Party an undue advantage.

Article 19
Abuse of functions

Each State Party shall consider adopting such legislative and other measures as may be necessary to establish as a criminal offence, when committed intentionally, the abuse of functions or position, that is, the performance of or failure to perform an act, in violation of laws, by a public official in the discharge of his or her functions, for the purpose of obtaining an undue advantage for himself or herself or for another person or entity.

Article 20
Illicit enrichment

Subject to its constitution and the fundamental principles of its legal system, each State Party shall consider adopting such legislative and other measures as may be necessary to establish as a criminal offence, when committed intentionally, illicit enrichment, that is, a significant increase in the assets of a public official that he or she cannot reasonably explain in relation to his or her lawful income.

Article 21
Bribery in the private sector

Each State Party shall consider adopting such legislative and other measures as may be necessary to establish as criminal offences, when committed intentionally in the course of economic, financial or commercial activities:

(*a*) The promise, offering or giving, directly or indirectly, of an undue advantage to any person who directs or works, in any capacity, for a private sector entity, for the person himself or herself or for another person, in order that he or she, in breach of his or her duties, act or refrain from acting;

(*b*) The solicitation or acceptance, directly or indirectly, of an undue advantage by any person who directs or works, in any capacity, for a private sector entity, for the person himself or herself or for another person, in order that he or she, in breach of his or her duties, act or refrain from acting.

Article 22
Embezzlement of property in the private sector

Each State Party shall consider adopting such legislative and other measures as may be necessary to establish as a criminal offence, when committed intentionally in the course of economic, financial or commercial activities, embezzlement by a person who directs or works, in any capacity, in a private sector entity of any property, private funds or securities or any other thing of value entrusted to him or her by virtue of his or her position.

Article 23
Laundering of proceeds of crime

1. Each State Party shall adopt, in accordance with fundamental principles of its domestic law, such legislative and other measures as may be necessary to establish as criminal offences, when committed intentionally:

(*a*) (i) The conversion or transfer of property, knowing that such property is the proceeds of crime, for the purpose of concealing or disguising the illicit origin of the property or of helping any person who is involved in the commission of the predicate offence to evade the legal consequences of his or her action;

(ii) The concealment or disguise of the true nature, source, location, disposition, movement or ownership of or rights with respect to property, knowing that such property is the proceeds of crime;

(*b*) Subject to the basic concepts of its legal system:

(i) The acquisition, possession or use of property, knowing, at the time of receipt, that such property is the proceeds of crime;

(ii) Participation in, association with or conspiracy to commit, attempts to commit and aiding, abetting, facilitating and counselling the commission of any of the offences established in accordance with this article.

2. For purposes of implementing or applying paragraph 1 of this article:

(*a*) Each State Party shall seek to apply paragraph 1 of this article to the widest range of predicate offences;

(*b*) Each State Party shall include as predicate offences at a minimum a comprehensive range of criminal offences established in accordance with this Convention;

(*c*) For the purposes of subparagraph (*b*) above, predicate offences shall include offences committed both within and outside the jurisdiction of the State Party in question. However, offences committed outside the jurisdiction of a State Party shall constitute predicate offences only when the relevant conduct is a criminal offence under the domestic law of the State where it is committed and would be a criminal offence under the domestic law of the State Party implementing or applying this article had it been committed there;

(*d*) Each State Party shall furnish copies of its laws that give effect to this article and of any subsequent changes to such laws or a description thereof to the Secretary-General of the United Nations;

(*e*) If required by fundamental principles of the domestic law of a State Party, it may be provided that the offences set forth in paragraph 1 of this article do not apply to the persons who committed the predicate offence.

Article 24
Concealment

Without prejudice to the provisions of article 23 of this Convention, each State Party shall consider adopting such legislative and other measures as may be necessary to establish as a criminal offence, when committed intentionally after the commission of any of the offences established in accordance with this Convention without having participated in such offences, the concealment or continued retention of property when the person involved knows that such property is the result of any of the offences established in accordance with this Convention.

Article 25
Obstruction of justice

Each State Party shall adopt such legislative and other measures as may be necessary to establish as criminal offences, when committed intentionally:

(*a*) The use of physical force, threats or intimidation or the promise, offering or giving of an undue advantage to induce false testimony or to interfere in the giving of testimony or the production of evidence in a proceeding in relation to the commission of offences established in accordance with this Convention;

(*b*) The use of physical force, threats or intimidation to interfere with the exercise of official duties by a justice or law enforcement official in relation to the commission of offences established in accordance with this Convention. Nothing in this subparagraph shall prejudice the right of States Parties to have legislation that protects other categories of public official.

Article 26
Liability of legal persons

1. Each State Party shall adopt such measures as may be necessary, consistent with its legal principles, to establish the liability of legal persons for participation in the offences established in accordance with this Convention.

2. Subject to the legal principles of the State Party, the liability of legal persons may be criminal, civil or administrative.

3. Such liability shall be without prejudice to the criminal liability of the natural persons who have committed the offences.

4. Each State Party shall, in particular, ensure that legal persons held liable in accordance with this article are subject to effective, proportionate and dissuasive criminal or non-criminal sanctions, including monetary sanctions.

Article 27
Participation and attempt

1. Each State Party shall adopt such legislative and other measures as may be necessary to establish as a criminal offence, in accordance with its domestic law, participation in any capacity such as an accomplice, assistant or instigator in an offence established in accordance with this Convention.

2. Each State Party may adopt such legislative and other measures as may be necessary to establish as a criminal offence, in accordance with its domestic law, any attempt to commit an offence established in accordance with this Convention.

3. Each State Party may adopt such legislative and other measures as may be necessary to establish as a criminal offence, in accordance with its domestic law, the preparation for an offence established in accordance with this Convention.

Article 28
Knowledge, intent and purpose as elements of an offence

Knowledge, intent or purpose required as an element of an offence established in accordance with this Convention may be inferred from objective factual circumstances.

Article 29
Statute of limitations

Each State Party shall, where appropriate, establish under its domestic law a long statute of limitations period in which to commence proceedings for any offence established in accordance with this Convention and establish a longer statute of limitations period or provide for the suspension of the statute of limitations where the alleged offender has evaded the administration of justice.

Article 30
Prosecution, adjudication and sanctions

1. Each State Party shall make the commission of an offence established in accordance with this Convention liable to sanctions that take into account the gravity of that offence.

2. Each State Party shall take such measures as may be necessary to establish or maintain, in accordance with its legal system and constitutional principles, an appropriate balance between any immunities or jurisdictional privileges accorded to its public officials for the performance of their functions and the possibility, when necessary, of effectively investigating, prosecuting and adjudicating offences established in accordance with this Convention.

3. Each State Party shall endeavour to ensure that any discretionary legal powers under its domestic law relating to the prosecution of persons for offences established in accordance with this Convention are exercised to maximize the effectiveness of law enforcement measures in respect of those offences and with due regard to the need to deter the commission of such offences.

4. In the case of offences established in accordance with this Convention, each State Party shall take appropriate measures, in accordance with its domestic law and with due regard to the rights of the defence, to seek to ensure that conditions imposed in connection with decisions on release pending trial or appeal take into consideration the need to ensure the presence of the defendant at subsequent criminal proceedings.

5. Each State Party shall take into account the gravity of the offences concerned when considering the eventuality of early release or parole of persons convicted of such offences.

6. Each State Party, to the extent consistent with the fundamental principles of its legal system, shall consider establishing procedures through which a public official accused of an offence established in accordance with this Convention may, where appropriate, be removed, suspended or reassigned by the appropriate authority, bearing in mind respect for the principle of the presumption of innocence.

7. Where warranted by the gravity of the offence, each State Party, to the extent consistent with the fundamental principles of its legal system, shall consider establishing procedures for the disqualification, by court order or any other appropriate means, for a period of time determined by its domestic law, of persons convicted of offences established in accordance with this Convention from:

(*a*) Holding public office; and

(*b*) Holding office in an enterprise owned in whole or in part by the State.

8. Paragraph 1 of this article shall be without prejudice to the exercise of disciplinary powers by the competent authorities against civil servants.

9. Nothing contained in this Convention shall affect the principle that the description of the offences established in accordance with this Convention and of the applicable legal defences or other legal principles controlling the lawfulness of conduct is reserved to the domestic law of a State Party and that such offences shall be prosecuted and punished in accordance with that law.

10. States Parties shall endeavour to promote the reintegration into society of persons convicted of offences established in accordance with this Convention.

Article 31
Freezing, seizure and confiscation

1. Each State Party shall take, to the greatest extent possible within its domestic legal system, such measures as may be necessary to enable confiscation of:

(*a*) Proceeds of crime derived from offences established in accordance with this Convention or property the value of which corresponds to that of such proceeds;

(*b*) Property, equipment or other instrumentalities used in or destined for use in offences established in accordance with this Convention.

2. Each State Party shall take such measures as may be necessary to enable the identification, tracing, freezing or seizure of any item referred to in paragraph 1 of this article for the purpose of eventual confiscation.

3. Each State Party shall adopt, in accordance with its domestic law, such legislative and other measures as may be necessary to regulate the administration by the competent authorities of frozen, seized or confiscated property covered in paragraphs 1 and 2 of this article.

4. If such proceeds of crime have been transformed or converted, in part or in full, into other property, such property shall be liable to the measures referred to in this article instead of the proceeds.

5. If such proceeds of crime have been intermingled with property acquired from legitimate sources, such property shall, without prejudice to any powers relating to freezing or seizure, be liable to confiscation up to the assessed value of the intermingled proceeds.

6. Income or other benefits derived from such proceeds of crime, from property into which such proceeds of crime have been transformed or converted or from property with which such proceeds of crime have been intermingled shall also be liable to the measures referred to in this article, in the same manner and to the same extent as proceeds of crime.

7. For the purpose of this article and article 55 of this Convention, each State Party shall empower its courts or other competent authorities to order that bank, financial or commercial records be made available or seized. A State Party shall not decline to act under the provisions of this paragraph on the ground of bank secrecy.

8. States Parties may consider the possibility of requiring that an offender demonstrate the lawful origin of such alleged proceeds of crime or other property liable to confiscation, to the extent that such a requirement is consistent with the fundamental principles of their domestic law and with the nature of judicial and other proceedings.

9. The provisions of this article shall not be so construed as to prejudice the rights of bona fide third parties.

10. Nothing contained in this article shall affect the principle that the measures to which it refers shall be defined and implemented in accordance with and subject to the provisions of the domestic law of a State Party.

Article 32
Protection of witnesses, experts and victims

1. Each State Party shall take appropriate measures in accordance with its domestic legal system and within its means to provide effective protection from potential retaliation or intimidation for witnesses and experts who give testimony concerning offences established in accordance with this Convention and, as appropriate, for their relatives and other persons close to them.

2. The measures envisaged in paragraph 1 of this article may include, inter alia, without prejudice to the rights of the defendant, including the right to due process:

(*a*) Establishing procedures for the physical protection of such persons, such as, to the extent necessary and feasible, relocating them and permitting, where appropriate, non-disclosure or limitations on the disclosure of information concerning the identity and whereabouts of such persons;

(*b*) Providing evidentiary rules to permit witnesses and experts to give testimony in a manner that ensures the safety of such persons, such as permitting testimony to be given through the use of communications technology such as video or other adequate means.

3. States Parties shall consider entering into agreements or arrangements with other States for the relocation of persons referred to in paragraph 1 of this article.

4. The provisions of this article shall also apply to victims insofar as they are witnesses.

5. Each State Party shall, subject to its domestic law, enable the views and concerns of victims to be presented and considered at appropriate stages of criminal proceedings against offenders in a manner not prejudicial to the rights of the defence.

Article 33
Protection of reporting persons

Each State Party shall consider incorporating into its domestic legal system appropriate measures to provide protection against any unjustified treatment for any person who reports in good faith and on reasonable grounds to the competent authorities any facts concerning offences established in accordance with this Convention.

Article 34
Consequences of acts of corruption

With due regard to the rights of third parties acquired in good faith, each State Party shall take measures, in accordance with the fundamental principles of its domestic law, to address consequences of corruption. In this context, States Parties may consider corruption a relevant factor in legal proceedings to annul or rescind a contract, withdraw a concession or other similar instrument or take any other remedial action.

Article 35
Compensation for damage

Each State Party shall take such measures as may be necessary, in accordance with principles of its domestic law, to ensure that entities or persons who have suffered damage as a result of an act of corruption have the right to initiate legal proceedings against those responsible for that damage in order to obtain compensation.

Article 36
Specialized authorities

Each State Party shall, in accordance with the fundamental principles of its legal system, ensure the existence of a body or bodies or persons specialized in combating corruption through law enforcement. Such body or bodies or persons shall be granted the necessary independence, in accordance with the fundamental principles of the legal system of the State Party, to be able to carry out their functions effectively and without any undue influence. Such persons or staff of such body or bodies should have the appropriate training and resources to carry out their tasks.

Article 37
Cooperation with law enforcement authorities

1. Each State Party shall take appropriate measures to encourage persons who participate or who have participated in the commission of an offence established in accordance with this Convention to supply information useful to competent authorities for investigative and evidentiary purposes and to provide factual, specific help to competent authorities that may contribute to depriving offenders of the proceeds of crime and to recovering such proceeds.

2. Each State Party shall consider providing for the possibility, in appropriate cases, of mitigating punishment of an accused person who provides substantial cooperation in the investigation or prosecution of an offence established in accordance with this Convention.

3. Each State Party shall consider providing for the possibility, in accordance with fundamental principles of its domestic law, of granting immunity from prosecution to a person who provides substantial cooperation in the investigation or prosecution of an offence established in accordance with this Convention.

4. Protection of such persons shall be, mutatis mutandis, as provided for in article 32 of this Convention.

5. Where a person referred to in paragraph 1 of this article located in one State Party can provide substantial cooperation to the competent authorities of another State Party, the States Parties concerned may consider entering into agreements or arrangements, in accordance with their domestic law, concerning the potential provision by the other State Party of the treatment set forth in paragraphs 2 and 3 of this article.

Article 38
Cooperation between national authorities

Each State Party shall take such measures as may be necessary to encourage, in accordance with its domestic law, cooperation between, on the one hand, its public authorities, as well as its public officials, and, on the other hand, its authorities responsible for investigating and prosecuting criminal offences. Such cooperation may include:

(*a*) Informing the latter authorities, on their own initiative, where there are reasonable grounds to believe that any of the offences established in accordance with articles 15, 21 and 23 of this Convention has been committed; or

(*b*) Providing, upon request, to the latter authorities all necessary information.

Article 39
Cooperation between national authorities and the private sector

1. Each State Party shall take such measures as may be necessary to encourage, in accordance with its domestic law, cooperation between national investigating and prosecuting authorities and entities of the private sector, in particular financial institutions, relating to matters involving the commission of offences established in accordance with this Convention.

2. Each State Party shall consider encouraging its nationals and other persons with a habitual residence in its territory to report to the national investigating and prosecuting authorities the commission of an offence established in accordance with this Convention.

Article 40
Bank secrecy

Each State Party shall ensure that, in the case of domestic criminal investigations of offences established in accordance with this Convention, there are appropriate mechanisms available within its domestic legal system to overcome obstacles that may arise out of the application of bank secrecy laws.

Article 41
Criminal record

Each State Party may adopt such legislative or other measures as may be necessary to take into consideration, under such terms as and for the purpose that it deems appropriate, any previous conviction in another State of an alleged offender for the purpose of using such information in criminal proceedings relating to an offence established in accordance with this Convention.

Article 42
Jurisdiction

1. Each State Party shall adopt such measures as may be necessary to establish its jurisdiction over the offences established in accordance with this Convention when:

(*a*) The offence is committed in the territory of that State Party; or

(*b*) The offence is committed on board a vessel that is flying the flag of that State Party or an aircraft that is registered under the laws of that State Party at the time that the offence is committed.

2. Subject to article 4 of this Convention, a State Party may also establish its jurisdiction over any such offence when:

(*a*) The offence is committed against a national of that State Party; or

(*b*) The offence is committed by a national of that State Party or a stateless person who has his or her habitual residence in its territory; or

(*c*) The offence is one of those established in accordance with article 23, paragraph 1 (*b*) (ii), of this Convention and is committed outside its territory with a view to the commission of an offence established in accordance with article 23, paragraph 1 (*a*) (i) or (ii) or (*b*) (i), of this Convention within its territory; or

(*d*) The offence is committed against the State Party.

3. For the purposes of article 44 of this Convention, each State Party shall take such measures as may be necessary to establish its jurisdiction over the offences established in accordance with this Convention when the alleged offender is present in its territory and it does not extradite such person solely on the ground that he or she is one of its nationals.

4. Each State Party may also take such measures as may be necessary to establish its jurisdiction over the offences established in accordance with this Convention when the alleged offender is present in its territory and it does not extradite him or her.

5. If a State Party exercising its jurisdiction under paragraph 1 or 2 of this article has been notified, or has otherwise learned, that any other States Parties are conducting an investigation, prosecution or judicial proceeding in respect of the same conduct, the competent authorities of those States Parties shall, as appropriate, consult one another with a view to coordinating their actions.

6. Without prejudice to norms of general international law, this Convention shall not exclude the exercise of any criminal jurisdiction established by a State Party in accordance with its domestic law.

Chapter IV
International cooperation

Article 43
International cooperation

1. States Parties shall cooperate in criminal matters in accordance with articles 44 to 50 of this Convention. Where appropriate and consistent with their domestic legal system, States Parties shall consider assisting each other in investigations of and proceedings in civil and administrative matters relating to corruption.

2. In matters of international cooperation, whenever dual criminality is considered a requirement, it shall be deemed fulfilled irrespective of whether the laws of the requested State Party place the offence within the same category of offence or denominate the offence by the same terminology as the requesting State Party, if the conduct underlying the offence for which assistance is sought is a criminal offence under the laws of both States Parties.

Article 44
Extradition

1. This article shall apply to the offences established in accordance with this Convention where the person who is the subject of the request for extradition is present in the territory of the requested State Party, provided that the offence for which extradition is sought is punishable under the domestic law of both the requesting State Party and the requested State Party.

2. Notwithstanding the provisions of paragraph 1 of this article, a State Party whose law so permits may grant the extradition of a person for any of the offences covered by this Convention that are not punishable under its own domestic law.

3. If the request for extradition includes several separate offences, at least one of which is extraditable under this article and some of which are not extraditable by reason of their period of imprisonment but are related to offences established in accordance with this Convention, the requested State Party may apply this article also in respect of those offences.

4. Each of the offences to which this article applies shall be deemed to be included as an extraditable offence in any extradition treaty existing between States Parties. States Parties undertake to include such offences as extraditable offences in every extradition treaty to be concluded between them. A State Party whose law so permits, in case it uses this Convention as the basis for extradition, shall not consider any of the offences established in accordance with this Convention to be a political offence.

5. If a State Party that makes extradition conditional on the existence of a treaty receives a request for extradition from another State Party with which it has no extradition treaty, it may consider this Convention the legal basis for extradition in respect of any offence to which this article applies.

6. A State Party that makes extradition conditional on the existence of a treaty shall:

(*a*) At the time of deposit of its instrument of ratification, acceptance or approval of or accession to this Convention, inform the Secretary-General of the United Nations whether it will take this Convention as the legal basis for cooperation on extradition with other States Parties to this Convention; and

(*b*) If it does not take this Convention as the legal basis for cooperation on extradition, seek, where appropriate, to conclude treaties on extradition with other States Parties to this Convention in order to implement this article.

7. States Parties that do not make extradition conditional on the existence of a treaty shall recognize offences to which this article applies as extraditable offences between themselves.

8. Extradition shall be subject to the conditions provided for by the domestic law of the requested State Party or by applicable extradition treaties, including, inter alia, conditions in relation to the minimum penalty requirement for extradition and the grounds upon which the requested State Party may refuse extradition.

9. States Parties shall, subject to their domestic law, endeavour to expedite extradition procedures and to simplify evidentiary requirements relating thereto in respect of any offence to which this article applies.

10. Subject to the provisions of its domestic law and its extradition treaties, the requested State Party may, upon being satisfied that the circumstances so warrant and are urgent and at the request of the requesting State Party, take a person whose extradition is sought and who is present in its territory into custody or take other appropriate measures to ensure his or her presence at extradition proceedings.

11. A State Party in whose territory an alleged offender is found, if it does not extradite such person in respect of an offence to which this article applies solely on the ground that he or she is one of its nationals, shall, at the request of the State Party seeking extradition, be obliged to submit the case without undue delay to its competent authorities for the purpose of prosecution. Those authorities shall take their decision and conduct their proceedings in the same manner as in the case of any other offence of a grave nature under the domestic law of that State Party. The States Parties concerned shall cooperate with each other, in particular on procedural and evidentiary aspects, to ensure the efficiency of such prosecution.

12. Whenever a State Party is permitted under its domestic law to extradite or otherwise surrender one of its nationals only upon the condition that the person will be returned to that State Party to serve the sentence imposed as a result of the trial or proceedings for which the extradition or surrender of the person was sought and that State Party and the State Party seeking the extradition of the person agree with this option and other terms that they may deem appropriate, such conditional extradition or surrender shall be sufficient to discharge the obligation set forth in paragraph 11 of this article.

13. If extradition, sought for purposes of enforcing a sentence, is refused because the person sought is a national of the requested State Party, the requested State Party shall, if its domestic law so permits and in conformity with the requirements of such law, upon application of the requesting State Party, consider the enforcement of the sentence imposed under the domestic law of the requesting State Party or the remainder thereof.

14. Any person regarding whom proceedings are being carried out in connection with any of the offences to which this article applies shall be guaranteed fair treatment at all stages of the proceedings, including enjoyment of all the rights and guarantees provided by the domestic law of the State Party in the territory of which that person is present.

15. Nothing in this Convention shall be interpreted as imposing an obligation to extradite if the requested State Party has substantial grounds for believing that the request has been made for the purpose of prosecuting or punishing a person on account of that person's sex, race, religion, nationality, ethnic origin or political opinions or that compliance with the request would cause prejudice to that person's position for any one of these reasons.

16. States Parties may not refuse a request for extradition on the sole ground that the offence is also considered to involve fiscal matters.

17. Before refusing extradition, the requested State Party shall, where appropriate, consult with the requesting State Party to provide it with ample opportunity to present its opinions and to provide information relevant to its allegation.

18. States Parties shall seek to conclude bilateral and multilateral agreements or arrangements to carry out or to enhance the effectiveness of extradition.

Article 45
Transfer of sentenced persons

States Parties may consider entering into bilateral or multilateral agreements or arrangements on the transfer to their territory of persons sentenced to imprisonment or other forms of deprivation of liberty for offences established in accordance with this Convention in order that they may complete their sentences there.

Article 46
Mutual legal assistance

1. States Parties shall afford one another the widest measure of mutual legal assistance in investigations, prosecutions and judicial proceedings in relation to the offences covered by this Convention.

2. Mutual legal assistance shall be afforded to the fullest extent possible under relevant laws, treaties, agreements and arrangements of the requested State Party with respect to investigations, prosecutions and judicial proceedings in relation to the offences for which a legal person may be held liable in accordance with article 26 of this Convention in the requesting State Party.

3. Mutual legal assistance to be afforded in accordance with this article may be requested for any of the following purposes:

(*a*) Taking evidence or statements from persons;

(*b*) Effecting service of judicial documents;

(*c*) Executing searches and seizures, and freezing;

(*d*) Examining objects and sites;

(*e*) Providing information, evidentiary items and expert evaluations;

(*f*) Providing originals or certified copies of relevant documents and records, including government, bank, financial, corporate or business records;

(*g*) Identifying or tracing proceeds of crime, property, instrumentalities or other things for evidentiary purposes;

(*h*) Facilitating the voluntary appearance of persons in the requesting State Party;

(*i*) Any other type of assistance that is not contrary to the domestic law of the requested State Party;

(*j*) Identifying, freezing and tracing proceeds of crime in accordance with the provisions of chapter V of this Convention;

(*k*) The recovery of assets, in accordance with the provisions of chapter V of this Convention.

4. Without prejudice to domestic law, the competent authorities of a State Party may, without prior request, transmit information relating to criminal matters to a competent authority in another State Party where they believe that such information could assist the authority in undertaking or successfully concluding inquiries and criminal proceedings or could result in a request formulated by the latter State Party pursuant to this Convention.

5. The transmission of information pursuant to paragraph 4 of this article shall be without prejudice to inquiries and criminal proceedings in the State of the competent authorities providing the information. The competent authorities receiving the information shall comply with a request that said information remain confidential, even temporarily, or with restrictions on its use. However, this shall not prevent the receiving State Party from disclosing in its proceedings information that is exculpatory to an accused person. In such a case, the receiving State Party shall notify the transmitting State Party prior to the disclosure and, if so requested, consult with the transmitting State Party. If, in an exceptional case, advance notice is not possible, the receiving State Party shall inform the transmitting State Party of the disclosure without delay.

6. The provisions of this article shall not affect the obligations under any other treaty, bilateral or multilateral, that governs or will govern, in whole or in part, mutual legal assistance.

7. Paragraphs 9 to 29 of this article shall apply to requests made pursuant to this article if the States Parties in question are not bound by a treaty of mutual legal assistance. If those States Parties are bound by such a treaty, the corresponding provisions of that treaty shall apply unless the States Parties agree to apply paragraphs 9 to 29 of this article in lieu thereof. States Parties are strongly encouraged to apply those paragraphs if they facilitate cooperation.

8. States Parties shall not decline to render mutual legal assistance pursuant to this article on the ground of bank secrecy.

9. (*a*) A requested State Party, in responding to a request for assistance pursuant to this article in the absence of dual criminality, shall take into account the purposes of this Convention, as set forth in article 1;

(*b*) States Parties may decline to render assistance pursuant to this article on the ground of absence of dual criminality. However, a requested State Party shall, where consistent with the basic concepts of its legal system, render assistance that does not involve coercive action. Such assistance may be refused when requests involve matters of a *de minimis* nature or matters for which the cooperation or assistance sought is available under other provisions of this Convention;

(*c*) Each State Party may consider adopting such measures as may be necessary to enable it to provide a wider scope of assistance pursuant to this article in the absence of dual criminality.

10. A person who is being detained or is serving a sentence in the territory of one State Party whose presence in another State Party is requested for purposes of identification, testimony or otherwise providing assistance in obtaining evidence for investigations, prosecutions or judicial proceedings in relation to offences covered by this Convention may be transferred if the following conditions are met:

(*a*) The person freely gives his or her informed consent;

(*b*) The competent authorities of both States Parties agree, subject to such conditions as those States Parties may deem appropriate.

11. For the purposes of paragraph 10 of this article:

(*a*) The State Party to which the person is transferred shall have the authority and obligation to keep the person transferred in custody, unless otherwise requested or authorized by the State Party from which the person was transferred;

(*b*) The State Party to which the person is transferred shall without delay implement its obligation to return the person to the custody of the State Party from which the person was transferred as agreed beforehand, or as otherwise agreed, by the competent authorities of both States Parties;

(*c*) The State Party to which the person is transferred shall not require the State Party from which the person was transferred to initiate extradition proceedings for the return of the person;

(*d*) The person transferred shall receive credit for service of the sentence being served in the State from which he or she was transferred for time spent in the custody of the State Party to which he or she was transferred.

12. Unless the State Party from which a person is to be transferred in accordance with paragraphs 10 and 11 of this article so agrees, that person, whatever his or her nationality, shall not be prosecuted, detained, punished or subjected to any other restriction of his or her personal liberty in the territory of the State to which that person is transferred in respect of acts, omissions or convictions prior to his or her departure from the territory of the State from which he or she was transferred.

13. Each State Party shall designate a central authority that shall have the responsibility and power to receive requests for mutual legal assistance and either to execute them or to transmit them to the competent authorities for execution. Where a State Party has a special region or territory with a separate system of mutual legal assistance, it may designate a distinct central authority that shall have the same function for that region or territory. Central authorities shall ensure the speedy and proper execution or transmission of the requests received. Where the central authority transmits the request to a competent authority for execution, it shall encourage the speedy and proper execution of the request by the competent authority. The Secretary-General of the United Nations shall be notified of the central authority designated for this purpose at the time each State Party deposits its instrument of ratification, acceptance or approval of or accession to this Convention. Requests for mutual legal assistance and any communication related thereto shall be transmitted to the central authorities designated by the States Parties. This requirement shall be without prejudice to the right of a State Party to require that such requests and communications be addressed to it through diplomatic channels and, in urgent circumstances, where the States Parties agree, through the International Criminal Police Organization, if possible.

14. Requests shall be made in writing or, where possible, by any means capable of producing a written record, in a language acceptable to the requested State Party, under conditions allowing that State Party to establish authenticity. The Secretary-General of the United Nations shall be notified of the language or languages acceptable to each State Party at the time it deposits its instrument of ratification, acceptance or approval of or accession to this Convention. In urgent circumstances and where agreed by the States Parties, requests may be made orally but shall be confirmed in writing forthwith.

15. A request for mutual legal assistance shall contain:

(*a*) The identity of the authority making the request;

(*b*) The subject matter and nature of the investigation, prosecution or judicial proceeding to which the request relates and the name and functions of the authority conducting the investigation, prosecution or judicial proceeding;

(*c*) A summary of the relevant facts, except in relation to requests for the purpose of service of judicial documents;

(*d*) A description of the assistance sought and details of any particular procedure that the requesting State Party wishes to be followed;

(*e*) Where possible, the identity, location and nationality of any person concerned; and

(*f*) The purpose for which the evidence, information or action is sought.

16. The requested State Party may request additional information when it appears necessary for the execution of the request in accordance with its domestic law or when it can facilitate such execution.

17. A request shall be executed in accordance with the domestic law of the requested State Party and, to the extent not contrary to the domestic law of the requested State Party and where possible, in accordance with the procedures specified in the request.

18. Wherever possible and consistent with fundamental principles of domestic law, when an individual is in the territory of a State Party and has to be heard as a witness or expert by the judicial authorities of another State Party, the first State Party may, at the request of the other, permit the hearing to take place by video conference if it is not possible or desirable for the individual in question to appear in person in the territory of the requesting State Party. States Parties may agree that the hearing shall be conducted by a judicial authority of the requesting State Party and attended by a judicial authority of the requested State Party.

19. The requesting State Party shall not transmit or use information or evidence furnished by the requested State Party for investigations, prosecutions or judicial proceedings other than those stated in the request without the prior consent of the requested State Party. Nothing in this paragraph shall prevent the requesting State Party from disclosing in its proceedings information or evidence that is exculpatory to an accused person. In the latter case, the requesting State Party shall notify the requested State Party prior to the disclosure and, if so requested, consult with the requested State Party. If, in an exceptional case, advance notice is not possible, the requesting

State Party shall inform the requested State Party of the disclosure without delay.

20. The requesting State Party may require that the requested State Party keep confidential the fact and substance of the request, except to the extent necessary to execute the request. If the requested State Party cannot comply with the requirement of confidentiality, it shall promptly inform the requesting State Party.

21. Mutual legal assistance may be refused:

(*a*) If the request is not made in conformity with the provisions of this article;

(*b*) If the requested State Party considers that execution of the request is likely to prejudice its sovereignty, security, *ordre public* or other essential interests;

(*c*) If the authorities of the requested State Party would be prohibited by its domestic law from carrying out the action requested with regard to any similar offence, had it been subject to investigation, prosecution or judicial proceedings under their own jurisdiction;

(*d*) If it would be contrary to the legal system of the requested State Party relating to mutual legal assistance for the request to be granted.

22. States Parties may not refuse a request for mutual legal assistance on the sole ground that the offence is also considered to involve fiscal matters.

23. Reasons shall be given for any refusal of mutual legal assistance.

24. The requested State Party shall execute the request for mutual legal assistance as soon as possible and shall take as full account as possible of any deadlines suggested by the requesting State Party and for which reasons are given, preferably in the request. The requesting State Party may make reasonable requests for information on the status and progress of measures taken by the requested State Party to satisfy its request. The requested State Party shall respond to reasonable requests by the requesting State Party on the status, and progress in its handling, of the request. The requesting State Party shall promptly inform the requested State Party when the assistance sought is no longer required.

25. Mutual legal assistance may be postponed by the requested State Party on the ground that it interferes with an ongoing investigation, prosecution or judicial proceeding.

26. Before refusing a request pursuant to paragraph 21 of this article or postponing its execution pursuant to paragraph 25 of this article, the requested State Party shall consult with the requesting State Party to consider whether assistance may be granted subject to such terms and conditions as it deems necessary. If the requesting State Party accepts assistance subject to those conditions, it shall comply with the conditions.

27. Without prejudice to the application of paragraph 12 of this article, a witness, expert or other person who, at the request of the requesting State Party, consents to give evidence in a proceeding or to assist in an investigation, prosecution or judicial proceeding in the territory of the requesting State Party shall not be prosecuted, detained, punished or subjected to any other restriction of his or her personal liberty in that territory in respect of acts, omissions or convictions prior to his or her departure from the territory of the requested State Party. Such safe conduct shall cease when the witness, expert or other person having had, for a period of fifteen consecutive days or for any period agreed upon by the States Parties from the date on which he or she has been officially informed that his or her presence is no longer required by the judicial authorities, an opportunity of leaving, has nevertheless remained voluntarily in the territory of the requesting State Party or, having left it, has returned of his or her own free will.

28. The ordinary costs of executing a request shall be borne by the requested State Party, unless otherwise agreed by the States Parties concerned. If expenses of a substantial or extraordinary nature are or will be required to fulfil the request, the States Parties shall consult to determine the terms and conditions under which the request will be executed, as well as the manner in which the costs shall be borne.

29. The requested State Party:

(*a*) Shall provide to the requesting State Party copies of government records, documents or information in its possession that under its domestic law are available to the general public;

(*b*) May, at its discretion, provide to the requesting State Party in whole, in part or subject to such conditions as it deems appropriate, copies of any government records, documents or information in its possession that under its domestic law are not available to the general public.

30. States Parties shall consider, as may be necessary, the possibility of concluding bilateral or multilateral agreements or arrangements that would serve the purposes of, give practical effect to or enhance the provisions of this article.

Article 47
Transfer of criminal proceedings

States Parties shall consider the possibility of transferring to one another proceedings for the prosecution of an offence established in accordance with this Convention in cases where such transfer is considered to be in the interests of the proper administration of justice, in particular in cases where several jurisdictions are involved, with a view to concentrating the prosecution.

Article 48
Law enforcement cooperation

1. States Parties shall cooperate closely with one another, consistent with their respective domestic legal and administrative systems, to enhance the effectiveness of law enforcement action to combat the offences covered by this Convention. States Parties shall, in particular, take effective measures:

(*a*) To enhance and, where necessary, to establish channels of communication between their competent authorities, agencies and services in order to facilitate the secure and rapid exchange of information concerning all aspects of the offences covered by this Convention, including, if the States Parties concerned deem it appropriate, links with other criminal activities;

(*b*) To cooperate with other States Parties in conducting inquiries with respect to offences covered by this Convention concerning:

(i) The identity, whereabouts and activities of persons suspected of involvement in such offences or the location of other persons concerned;

(ii) The movement of proceeds of crime or property derived from the commission of such offences;

(iii) The movement of property, equipment or other instrumentalities used or intended for use in the commission of such offences;

(*c*) To provide, where appropriate, necessary items or quantities of substances for analytical or investigative purposes;

(*d*) To exchange, where appropriate, information with other States Parties concerning specific means and methods used to commit offences covered by this Convention, including the use of false identities, forged, altered or false documents and other means of concealing activities;

(*e*) To facilitate effective coordination between their competent authorities, agencies and services and to promote the exchange of personnel and other experts, including, subject to bilateral agreements or arrangements between the States Parties concerned, the posting of liaison officers;

(*f*) To exchange information and coordinate administrative and other measures taken as appropriate for the purpose of early identification of the offences covered by this Convention.

2. With a view to giving effect to this Convention, States Parties shall consider entering into bilateral or multilateral agreements or arrangements on direct cooperation between their law enforcement agencies and, where such agreements or arrangements already exist, amending them. In the absence of such agreements or arrangements between the States Parties concerned, the States Parties may consider this Convention to be the basis for mutual law enforcement cooperation in respect of the offences covered by this Convention. Whenever appropriate, States Parties shall make full use of agreements or arrangements, including international or regional organizations, to enhance the cooperation between their law enforcement agencies.

3. States Parties shall endeavour to cooperate within their means to respond to offences covered by this Convention committed through the use of modern technology.

Article 49
Joint investigations

States Parties shall consider concluding bilateral or multilateral agreements or arrangements whereby, in relation to matters that are the subject of investigations, prosecutions or judicial proceedings in one or more States, the competent authorities concerned may establish joint investigative bodies. In the absence of such agreements or arrangements, joint investigations may be undertaken by agreement on a case-by-case basis. The States Parties involved shall ensure that the sovereignty of the State Party in whose territory such investigation is to take place is fully respected.

Article 50
Special investigative techniques

1. In order to combat corruption effectively, each State Party shall, to the extent permitted by the basic principles of its domestic legal system and in accordance with the conditions prescribed by its domestic law, take such measures as may be necessary, within its means, to allow for the appropriate use by its competent authorities of controlled delivery and, where it deems appropriate, other special investigative techniques, such as electronic or other forms of surveillance and undercover operations, within its territory, and to allow for the admissibility in court of evidence derived therefrom.

2. For the purpose of investigating the offences covered by this Convention, States Parties are encouraged to conclude, when necessary, appropriate bilateral or multilateral agreements or arrangements for using such special investigative techniques in the context of cooperation at the international level. Such agreements or arrangements shall be concluded and implemented in full compliance with the principle of sovereign equality of States and shall be carried out strictly in accordance with the terms of those agreements or arrangements.

3. In the absence of an agreement or arrangement as set forth in paragraph 2 of this article, decisions to use such special investigative techniques at the international level shall be made on a case-by-case basis and may, when necessary, take into consideration financial arrangements and understandings with respect to the exercise of jurisdiction by the States Parties concerned.

4. Decisions to use controlled delivery at the international level may, with the consent of the States Parties concerned,

include methods such as intercepting and allowing the goods or funds to continue intact or be removed or replaced in whole or in part.

Chapter V
Asset recovery

Article 51
General provision

The return of assets pursuant to this chapter is a fundamental principle of this Convention, and States Parties shall afford one another the widest measure of cooperation and assistance in this regard.

Article 52
Prevention and detection of transfers of proceeds of crime

1. Without prejudice to article 14 of this Convention, each State Party shall take such measures as may be necessary, in accordance with its domestic law, to require financial institutions within its jurisdiction to verify the identity of customers, to take reasonable steps to determine the identity of beneficial owners of funds deposited into high-value accounts and to conduct enhanced scrutiny of accounts sought or maintained by or on behalf of individuals who are, or have been, entrusted with prominent public functions and their family members and close associates. Such enhanced scrutiny shall be reasonably designed to detect suspicious transactions for the purpose of reporting to competent authorities and should not be so construed as to discourage or prohibit financial institutions from doing business with any legitimate customer.

2. In order to facilitate implementation of the measures provided for in paragraph 1 of this article, each State Party, in accordance with its domestic law and inspired by relevant initiatives of regional, interregional and multilateral organizations against money-laundering, shall:

(*a*) Issue advisories regarding the types of natural or legal person to whose accounts financial institutions within its jurisdiction will be expected to apply enhanced scrutiny, the types of accounts and transactions to which to pay particular attention and appropriate account-opening, maintenance and record-keeping measures to take concerning such accounts; and

(*b*) Where appropriate, notify financial institutions within its jurisdiction, at the request of another State Party or on its own initiative, of the identity of particular natural or legal persons to whose accounts such institutions will be expected to apply enhanced scrutiny, in addition to those whom the financial institutions may otherwise identify.

3. In the context of paragraph 2 (*a*) of this article, each State Party shall implement measures to ensure that its financial institutions maintain adequate records, over an appropriate period of time, of accounts and transactions involving the persons mentioned in paragraph 1 of this article, which should, as a minimum, contain information relating to the identity of the customer as well as, as far as possible, of the beneficial owner.

4. With the aim of preventing and detecting transfers of proceeds of offences established in accordance with this Convention, each State Party shall implement appropriate and effective measures to prevent, with the help of its regulatory and oversight bodies, the establishment of banks that have no physical presence and that are not affiliated with a regulated financial group. Moreover, States Parties may consider requiring their financial institutions to refuse to enter into or continue a correspondent banking relationship with such institutions and to guard against establishing relations with foreign financial institutions that permit their accounts to be used by banks that have no physical presence and that are not affiliated with a regulated financial group.

5. Each State Party shall consider establishing, in accordance with its domestic law, effective financial disclosure systems for appropriate public officials and shall provide for appropriate sanctions for non-compliance. Each State Party shall also consider taking such measures as may be necessary to permit its competent authorities to share that information with the competent authorities in other States Parties when necessary to investigate, claim and recover proceeds of offences established in accordance with this Convention.

6. Each State Party shall consider taking such measures as may be necessary, in accordance with its domestic law, to require appropriate public officials having an interest in or signature or other authority over a financial account in a foreign country to report that relationship to appropriate authorities and to maintain appropriate records related to such accounts. Such measures shall also provide for appropriate sanctions for non-compliance.

Article 53
Measures for direct recovery of property

Each State Party shall, in accordance with its domestic law:

(*a*) Take such measures as may be necessary to permit another State Party to initiate civil action in its courts to establish title to or ownership of property acquired through the commission of an offence established in accordance with this Convention;

(*b*) Take such measures as may be necessary to permit its courts to order those who have committed offences established in accordance with this Convention to pay compensation or damages to another State Party that has been harmed by such offences; and

(*c*) Take such measures as may be necessary to permit its courts or competent authorities, when having to decide on confiscation, to recognize another State Party's claim as a legitimate owner of property acquired through the commission of an offence established in accordance with this Convention.

Article 54
Mechanisms for recovery of property through international cooperation in confiscation

1. Each State Party, in order to provide mutual legal assistance pursuant to article 55 of this Convention with respect to property acquired through or involved in the commission of an offence established in accordance with this Convention, shall, in accordance with its domestic law:

(*a*) Take such measures as may be necessary to permit its competent authorities to give effect to an order of confiscation issued by a court of another State Party;

(*b*) Take such measures as may be necessary to permit its competent authorities, where they have jurisdiction, to order the confiscation of such property of foreign origin by adjudication of an offence of money-laundering or such other offence as may be within its jurisdiction or by other procedures authorized under its domestic law; and

(*c*) Consider taking such measures as may be necessary to allow confiscation of such property without a criminal conviction in cases in which the offender cannot be prosecuted by reason of death, flight or absence or in other appropriate cases.

2. Each State Party, in order to provide mutual legal assistance upon a request made pursuant to paragraph 2 of article 55 of this Convention, shall, in accordance with its domestic law:

(*a*) Take such measures as may be necessary to permit its competent authorities to freeze or seize property upon a freezing or seizure order issued by a court or competent authority of a requesting State Party that provides a reasonable basis for the requested State Party to believe that there are sufficient grounds for taking such actions and that the property would eventually be subject to an order of confiscation for purposes of paragraph 1 (*a*) of this article;

(*b*) Take such measures as may be necessary to permit its competent authorities to freeze or seize property upon a request that provides a reasonable basis for the requested State Party to believe that there are sufficient grounds for taking such actions and that the property would eventually be subject to an order of confiscation for purposes of paragraph 1 (*a*) of this article; and

(*c*) Consider taking additional measures to permit its competent authorities to preserve property for confiscation, such as on the basis of a foreign arrest or criminal charge related to the acquisition of such property.

Article 55
International cooperation for purposes of confiscation

1. A State Party that has received a request from another State Party having jurisdiction over an offence established in accordance with this Convention for confiscation of proceeds of crime, property, equipment or other instrumentalities referred to in article 31, paragraph 1, of this Convention situated in its territory shall, to the greatest extent possible within its domestic legal system:

(*a*) Submit the request to its competent authorities for the purpose of obtaining an order of confiscation and, if such an order is granted, give effect to it; or

(*b*) Submit to its competent authorities, with a view to giving effect to it to the extent requested, an order of confiscation issued by a court in the territory of the requesting State Party in accordance with articles 31, paragraph 1, and 54, paragraph 1 (*a*), of this Convention insofar as it relates to proceeds of crime, property, equipment or other instrumentalities referred to in article 31, paragraph 1, situated in the territory of the requested State Party.

2. Following a request made by another State Party having jurisdiction over an offence established in accordance with this Convention, the requested State Party shall take measures to identify, trace and freeze or seize proceeds of crime, property, equipment or other instrumentalities referred to in article 31, paragraph 1, of this Convention for the purpose of eventual confiscation to be ordered either by the requesting State Party or, pursuant to a request under paragraph 1 of this article, by the requested State Party.

3. The provisions of article 46 of this Convention are applicable, mutatis mutandis, to this article. In addition to the information specified in article 46, paragraph 15, requests made pursuant to this article shall contain:

(*a*) In the case of a request pertaining to paragraph 1 (*a*) of this article, a description of the property to be confiscated, including, to the extent possible, the location and, where relevant, the estimated value of the property and a statement of the facts relied upon by the requesting State Party sufficient to enable the requested State Party to seek the order under its domestic law;

(*b*) In the case of a request pertaining to paragraph 1 (*b*) of this article, a legally admissible copy of an order of confiscation upon which the request is based issued by the requesting State Party, a statement of the facts and information as to the extent to which execution of the order is requested, a statement specifying the measures taken by the requesting State Party to provide adequate notification to bona fide third parties and to ensure due process and a statement that the confiscation order is final;

(*c*) In the case of a request pertaining to paragraph 2 of this article, a statement of the facts relied upon by the requesting

State Party and a description of the actions requested and, where available, a legally admissible copy of an order on which the request is based.

4. The decisions or actions provided for in paragraphs 1 and 2 of this article shall be taken by the requested State Party in accordance with and subject to the provisions of its domestic law and its procedural rules or any bilateral or multilateral agreement or arrangement to which it may be bound in relation to the requesting State Party.

5. Each State Party shall furnish copies of its laws and regulations that give effect to this article and of any subsequent changes to such laws and regulations or a description thereof to the Secretary-General of the United Nations.

6. If a State Party elects to make the taking of the measures referred to in paragraphs 1 and 2 of this article conditional on the existence of a relevant treaty, that State Party shall consider this Convention the necessary and sufficient treaty basis.

7. Cooperation under this article may also be refused or provisional measures lifted if the requested State Party does not receive sufficient and timely evidence or if the property is of a *de minimis* value.

8. Before lifting any provisional measure taken pursuant to this article, the requested State Party shall, wherever possible, give the requesting State Party an opportunity to present its reasons in favour of continuing the measure.

9. The provisions of this article shall not be construed as prejudicing the rights of bona fide third parties.

Article 56
Special cooperation

Without prejudice to its domestic law, each State Party shall endeavour to take measures to permit it to forward, without prejudice to its own investigations, prosecutions or judicial proceedings, information on proceeds of offences established in accordance with this Convention to another State Party without prior request, when it considers that the disclosure of such information might assist the receiving State Party in initiating or carrying out investigations, prosecutions or judicial proceedings or might lead to a request by that State Party under this chapter of the Convention.

Article 57
Return and disposal of assets

1. Property confiscated by a State Party pursuant to article 31 or 55 of this Convention shall be disposed of, including by return to its prior legitimate owners, pursuant to paragraph 3 of this article, by that State Party in accordance with the provisions of this Convention and its domestic law.

2. Each State Party shall adopt such legislative and other measures, in accordance with the fundamental principles of its domestic law, as may be necessary to enable its competent authorities to return confiscated property, when acting on the request made by another State Party, in accordance with this Convention, taking into account the rights of bona fide third parties.

3. In accordance with articles 46 and 55 of this Convention and paragraphs 1 and 2 of this article, the requested State Party shall:

(*a*) In the case of embezzlement of public funds or of laundering of embezzled public funds as referred to in articles 17 and 23 of this Convention, when confiscation was executed in accordance with article 55 and on the basis of a final judgement in the requesting State Party, a requirement that can be waived by the requested State Party, return the confiscated property to the requesting State Party;

(*b*) In the case of proceeds of any other offence covered by this Convention, when the confiscation was executed in accordance with article 55 of this Convention and on the basis of a final judgement in the requesting State Party, a requirement that can be waived by the requested State Party, return the confiscated property to the requesting State Party, when the requesting State Party reasonably establishes its prior ownership of such confiscated property to the requested State Party or when the requested State Party recognizes damage to the requesting State Party as a basis for returning the confiscated property;

(*c*) In all other cases, give priority consideration to returning confiscated property to the requesting State Party, returning such property to its prior legitimate owners or compensating the victims of the crime.

4. Where appropriate, unless States Parties decide otherwise, the requested State Party may deduct reasonable expenses incurred in investigations, prosecutions or judicial proceedings leading to the return or disposition of confiscated property pursuant to this article.

5. Where appropriate, States Parties may also give special consideration to concluding agreements or mutually acceptable arrangements, on a case-by-case basis, for the final disposal of confiscated property.

Article 58
Financial intelligence unit

States Parties shall cooperate with one another for the purpose of preventing and combating the transfer of proceeds of offences established in accordance with this Convention and of promoting ways and means of recovering such proceeds and, to that end, shall consider establishing a financial intelligence unit to be responsible for receiving, analysing and disseminating to the competent authorities reports of suspicious financial transactions.

Article 59
Bilateral and multilateral agreements and arrangements

States Parties shall consider concluding bilateral or multilateral agreements or arrangements to enhance the effectiveness of international cooperation undertaken pursuant to this chapter of the Convention.

Chapter VI
Technical assistance and information exchange

Article 60
Training and technical assistance

1. Each State Party shall, to the extent necessary, initiate, develop or improve specific training programmes for its personnel responsible for preventing and combating corruption. Such training programmes could deal, inter alia, with the following areas:

(*a*) Effective measures to prevent, detect, investigate, punish and control corruption, including the use of evidence-gathering and investigative methods;

(*b*) Building capacity in the development and planning of strategic anti-corruption policy;

(*c*) Training competent authorities in the preparation of requests for mutual legal assistance that meet the requirements of this Convention;

(*d*) Evaluation and strengthening of institutions, public service management and the management of public finances, including public procurement, and the private sector;

(*e*) Preventing and combating the transfer of proceeds of offences established in accordance with this Convention and recovering such proceeds;

(*f*) Detecting and freezing of the transfer of proceeds of offences established in accordance with this Convention;

(*g*) Surveillance of the movement of proceeds of offences established in accordance with this Convention and of the methods used to transfer, conceal or disguise such proceeds;

(*h*) Appropriate and efficient legal and administrative mechanisms and methods for facilitating the return of proceeds of offences established in accordance with this Convention;

(*i*) Methods used in protecting victims and witnesses who cooperate with judicial authorities; and

(*j*) Training in national and international regulations and in languages.

2. States Parties shall, according to their capacity, consider affording one another the widest measure of technical assistance, especially for the benefit of developing countries, in their respective plans and programmes to combat corruption, including material support and training in the areas referred to in paragraph 1 of this article, and training and assistance and the mutual exchange of relevant experience and specialized knowledge, which will facilitate international cooperation between States Parties in the areas of extradition and mutual legal assistance.

3. States Parties shall strengthen, to the extent necessary, efforts to maximize operational and training activities in international and regional organizations and in the framework of relevant bilateral and multilateral agreements or arrangements.

4. States Parties shall consider assisting one another, upon request, in conducting evaluations, studies and research relating to the types, causes, effects and costs of corruption in their respective countries, with a view to developing, with the participation of competent authorities and society, strategies and action plans to combat corruption.

5. In order to facilitate the recovery of proceeds of offences established in accordance with this Convention, States Parties may cooperate in providing each other with the names of experts who could assist in achieving that objective.

6. States Parties shall consider using subregional, regional and international conferences and seminars to promote cooperation and technical assistance and to stimulate discussion on problems of mutual concern, including the special problems and needs of developing countries and countries with economies in transition.

7. States Parties shall consider establishing voluntary mechanisms with a view to contributing financially to the efforts of developing countries and countries with economies in transition to apply this Convention through technical assistance programmes and projects.

8. Each State Party shall consider making voluntary contributions to the United Nations Office on Drugs and Crime for the purpose of fostering, through the Office, programmes and projects in developing countries with a view to implementing this Convention.

Article 61
Collection, exchange and analysis of information on corruption

1. Each State Party shall consider analysing, in consultation with experts, trends in corruption in its territory, as well as the circumstances in which corruption offences are committed.

2. States Parties shall consider developing and sharing with each other and through international and regional organizations statistics, analytical expertise concerning corruption and information with a view to developing, insofar as possible, common definitions, standards and methodologies, as well as information on best practices to prevent and combat corruption.

3. Each State Party shall consider monitoring its policies and actual measures to combat corruption and making assessments of their effectiveness and efficiency.

Article 62
Other measures: implementation of the Convention through economic development and technical assistance

1. States Parties shall take measures conducive to the optimal implementation of this Convention to the extent possible, through international cooperation, taking into account the negative effects of corruption on society in general, in particular on sustainable development.

2. States Parties shall make concrete efforts to the extent possible and in coordination with each other, as well as with international and regional organizations:

(*a*) To enhance their cooperation at various levels with developing countries, with a view to strengthening the capacity of the latter to prevent and combat corruption;

(*b*) To enhance financial and material assistance to support the efforts of developing countries to prevent and fight corruption effectively and to help them implement this Convention successfully;

(*c*) To provide technical assistance to developing countries and countries with economies in transition to assist them in meeting their needs for the implementation of this Convention. To that end, States Parties shall endeavour to make adequate and regular voluntary contributions to an account specifically designated for that purpose in a United Nations funding mechanism. States Parties may also give special consideration, in accordance with their domestic law and the provisions of this Convention, to contributing to that account a percentage of the money or of the corresponding value of proceeds of crime or property confiscated in accordance with the provisions of this Convention;

(*d*) To encourage and persuade other States and financial institutions as appropriate to join them in efforts in accordance with this article, in particular by providing more training programmes and modern equipment to developing countries in order to assist them in achieving the objectives of this Convention.

3. To the extent possible, these measures shall be without prejudice to existing foreign assistance commitments or to other financial cooperation arrangements at the bilateral, regional or international level.

4. States Parties may conclude bilateral or multilateral agreements or arrangements on material and logistical assistance, taking into consideration the financial arrangements necessary for the means of international cooperation provided for by this Convention to be effective and for the prevention, detection and control of corruption.

Chapter VII
Mechanisms for implementation

Article 63
Conference of the States Parties to the Convention

1. A Conference of the States Parties to the Convention is hereby established to improve the capacity of and cooperation between States Parties to achieve the objectives set forth in this Convention and to promote and review its implementation.

2. The Secretary-General of the United Nations shall convene the Conference of the States Parties not later than one year following the entry into force of this Convention. Thereafter, regular meetings of the Conference of the States Parties shall be held in accordance with the rules of procedure adopted by the Conference.

3. The Conference of the States Parties shall adopt rules of procedure and rules governing the functioning of the activities set forth in this article, including rules concerning the admission and participation of observers, and the payment of expenses incurred in carrying out those activities.

4. The Conference of the States Parties shall agree upon activities, procedures and methods of work to achieve the objectives set forth in paragraph 1 of this article, including:

(*a*) Facilitating activities by States Parties under articles 60 and 62 and chapters II to V of this Convention, including by encouraging the mobilization of voluntary contributions;

(*b*) Facilitating the exchange of information among States Parties on patterns and trends in corruption and on successful practices for preventing and combating it and for the return of proceeds of crime, through, inter alia, the publication of relevant information as mentioned in this article;

(*c*) Cooperating with relevant international and regional organizations and mechanisms and non-governmental organizations;

(*d*) Making appropriate use of relevant information produced by other international and regional mechanisms for combating and preventing corruption in order to avoid unnecessary duplication of work;

(*e*) Reviewing periodically the implementation of this Convention by its States Parties;

(*f*) Making recommendations to improve this Convention and its implementation;

(*g*) Taking note of the technical assistance requirements of States Parties with regard to the implementation of this Convention and recommending any action it may deem necessary in that respect.

5. For the purpose of paragraph 4 of this article, the Conference of the States Parties shall acquire the necessary

knowledge of the measures taken by States Parties in implementing this Convention and the difficulties encountered by them in doing so through information provided by them and through such supplemental review mechanisms as may be established by the Conference of the States Parties.

6. Each State Party shall provide the Conference of the States Parties with information on its programmes, plans and practices, as well as on legislative and administrative measures to implement this Convention, as required by the Conference of the States Parties. The Conference of the States Parties shall examine the most effective way of receiving and acting upon information, including, inter alia, information received from States Parties and from competent international organizations. Inputs received from relevant non-governmental organizations duly accredited in accordance with procedures to be decided upon by the Conference of the States Parties may also be considered.

7. Pursuant to paragraphs 4 to 6 of this article, the Conference of the States Parties shall establish, if it deems it necessary, any appropriate mechanism or body to assist in the effective implementation of the Convention.

Article 64
Secretariat

1. The Secretary-General of the United Nations shall provide the necessary secretariat services to the Conference of the States Parties to the Convention.

2. The secretariat shall:

(*a*) Assist the Conference of the States Parties in carrying out the activities set forth in article 63 of this Convention and make arrangements and provide the necessary services for the sessions of the Conference of the States Parties;

(*b*) Upon request, assist States Parties in providing information to the Conference of the States Parties as envisaged in article 63, paragraphs 5 and 6, of this Convention; and

(*c*) Ensure the necessary coordination with the secretariats of relevant international and regional organizations.

Chapter VIII
Final provisions

Article 65
Implementation of the Convention

1. Each State Party shall take the necessary measures, including legislative and administrative measures, in accordance with fundamental principles of its domestic law, to ensure the implementation of its obligations under this Convention.

2. Each State Party may adopt more strict or severe measures than those provided for by this Convention for preventing and combating corruption.

Article 66
Settlement of disputes

1. States Parties shall endeavour to settle disputes concerning the interpretation or application of this Convention through negotiation.

2. Any dispute between two or more States Parties concerning the interpretation or application of this Convention that cannot be settled through negotiation within a reasonable time shall, at the request of one of those States Parties, be submitted to arbitration. If, six months after the date of the request for arbitration, those States Parties are unable to agree on the organization of the arbitration, any one of those States Parties may refer the dispute to the International Court of Justice by request in accordance with the Statute of the Court.

3. Each State Party may, at the time of signature, ratification, acceptance or approval of or accession to this Convention, declare that it does not consider itself bound by paragraph 2 of this article. The other States Parties shall not be bound by paragraph 2 of this article with respect to any State Party that has made such a reservation.

4. Any State Party that has made a reservation in accordance with paragraph 3 of this article may at any time withdraw that reservation by notification to the Secretary-General of the United Nations.

Article 67
Signature, ratification, acceptance, approval and accession

1. This Convention shall be open to all States for signature from 9 to 11 December 2003 in Merida, Mexico, and thereafter at United Nations Headquarters in New York until 9 December 2005.

2. This Convention shall also be open for signature by regional economic integration organizations provided that at least one member State of such organization has signed this Convention in accordance with paragraph 1 of this article.

3. This Convention is subject to ratification, acceptance or approval. Instruments of ratification, acceptance or approval shall be deposited with the Secretary-General of the United Nations. A regional economic integration organization may deposit its instrument of ratification, acceptance or approval if at least one of its member States has done likewise. In that instrument of ratification, acceptance or approval, such organization shall declare the extent of its competence with respect to the matters governed by this Convention. Such organization shall also inform the depositary of any relevant modification in the extent of its competence.

4. This Convention is open for accession by any State or any regional economic integration organization of which at least one member State is a Party to this Convention. Instruments of accession shall be deposited with the Secretary-General of the United Nations. At the time of its accession, a regional

economic integration organization shall declare the extent of its competence with respect to matters governed by this Convention. Such organization shall also inform the depositary of any relevant modification in the extent of its competence.

Article 68
Entry into force

1. This Convention shall enter into force on the ninetieth day after the date of deposit of the thirtieth instrument of ratification, acceptance, approval or accession. For the purpose of this paragraph, any instrument deposited by a regional economic integration organization shall not be counted as additional to those deposited by member States of such organization.

2. For each State or regional economic integration organization ratifying, accepting, approving or acceding to this Convention after the deposit of the thirtieth instrument of such action, this Convention shall enter into force on the thirtieth day after the date of deposit by such State or organization of the relevant instrument or on the date this Convention enters into force pursuant to paragraph 1 of this article, whichever is later.

Article 69
Amendment

1. After the expiry of five years from the entry into force of this Convention, a State Party may propose an amendment and transmit it to the Secretary-General of the United Nations, who shall thereupon communicate the proposed amendment to the States Parties and to the Conference of the States Parties to the Convention for the purpose of considering and deciding on the proposal. The Conference of the States Parties shall make every effort to achieve consensus on each amendment. If all efforts at consensus have been exhausted and no agreement has been reached, the amendment shall, as a last resort, require for its adoption a two-thirds majority vote of the States Parties present and voting at the meeting of the Conference of the States Parties.

2. Regional economic integration organizations, in matters within their competence, shall exercise their right to vote under this article with a number of votes equal to the number of their member States that are Parties to this Convention. Such organizations shall not exercise their right to vote if their member States exercise theirs and vice versa.

3. An amendment adopted in accordance with paragraph 1 of this article is subject to ratification, acceptance or approval by States Parties.

4. An amendment adopted in accordance with paragraph 1 of this article shall enter into force in respect of a State Party ninety days after the date of the deposit with the Secretary-General of the United Nations of an instrument of ratification, acceptance or approval of such amendment.

5. When an amendment enters into force, it shall be binding on those States Parties which have expressed their consent to be bound by it. Other States Parties shall still be bound by the provisions of this Convention and any earlier amendments that they have ratified, accepted or approved.

Article 70
Denunciation

1. A State Party may denounce this Convention by written notification to the Secretary-General of the United Nations. Such denunciation shall become effective one year after the date of receipt of the notification by the Secretary-General.

2. A regional economic integration organization shall cease to be a Party to this Convention when all of its member States have denounced it.

Article 71
Depositary and languages

1. The Secretary-General of the United Nations is designated depositary of this Convention.

2. The original of this Convention, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations.

IN WITNESS WHEREOF, the undersigned plenipotentiaries, being duly authorized thereto by their respective Governments, have signed this Convention.

RESOLUTION 58/5

Adopted at the 52nd plenary meeting, on 3 November 2003, without a vote, on the basis of draft resolution A/58/L.2 and Add.1, sponsored by: Algeria, Angola, Armenia, Austria, Azerbaijan, Bahrain, Bangladesh, Belgium, Benin, Brunei Darussalam, Burkina Faso, Burundi, Cameroon, Canada, Cape Verde, Central African Republic, China, Congo, Côte d'Ivoire, Croatia, Cuba, Cyprus, Democratic Republic of the Congo, Djibouti, Dominican Republic, Egypt, Equatorial Guinea, Ethiopia, France, Gabon, Greece, Guinea, Guinea-Bissau, Iran (Islamic Republic of), Ireland, Italy, Jordan, Kenya, Kuwait, Lebanon, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Malaysia, Mali, Mauritania, Mauritius, Monaco, Mongolia, Morocco, Mozambique, Namibia, Nauru, Niger, Nigeria, Oman, Pakistan, Peru, Portugal, Qatar, Republic of Moldova, Russian Federation, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Somalia, South Africa, Sudan, Swaziland, Switzerland, Syrian Arab Republic, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Ukraine, United Arab Emirates, United Republic of Tanzania, Yemen

58/5. Sport as a means to promote education, health, development and peace

The General Assembly,

Recalling its decision to include in its agenda an item entitled "Sport for peace and development" and a sub-item thereof entitled "International Year of Sport and Physical Education",[14]

Considering the role of sport and physical education as a means to promote education, health, development and peace,

Acknowledging the major role of the United Nations, its funds and programmes and the United Nations Educational, Scientific and Cultural Organization and other specialized agencies, in promoting human development through sport and physical education, through its country programmes,

Taking note of the communiqué issued by the round table of ministers responsible for sports and physical education, held in Paris on 9 and 10 January 2003, in which they expressed their commitment to ensuring that the role of physical education and sport is fully recognized and developed,

Recalling the Convention on the Rights of the Child[15] and the outcome document of the special session of the General Assembly on children, entitled "A world fit for children",[16] stressing that education shall be directed to the development of children's personality, talents and mental and physical abilities to their fullest potential,

Recalling also the International Charter of Physical Education and Sport of the United Nations Educational, Scientific and Cultural Organization[17] and the Dakar Framework for Action adopted at the World Education Forum in April 2000,[18] as well as other relevant documents emphasizing the role of sport and physical education,

Taking note of the report of the United Nations Inter-agency Task Force on Sport for Development and Peace,

Noting that sport and physical education in many countries face increasing marginalization within education systems even though they are a major tool not only for health and physical development but also for acquiring values necessary for social cohesion and intercultural dialogue,

Acknowledging with concern the dangers faced by sportsmen and sportswomen, in particular young athletes, including, inter alia, child labour, violence, doping, early specialization, over-training and exploitative forms of commercialization, as well as less visible threats and deprivations, such as the premature severance of family bonds and the loss of sporting, social and cultural ties,

Recognizing the need for greater coordination of efforts at the international level to facilitate a more effective fight against doping, and noting in this regard the Anti-Doping Convention established by the Council of Europe,[19] the Copenhagen Declaration on Anti-doping in Sport, adopted during the World Conference on Doping in Sport, held from 3 to 5 March 2003, and any other relevant international instrument,

1. *Invites* Governments, the United Nations, its funds and programmes, the specialized agencies, where appropriate, and sport-related institutions:

(*a*) To promote the role of sport and physical education for all when furthering their development programmes and policies, to advance health awareness, the spirit of achievement and cultural bridging and to entrench collective values;

(*b*) To include sport and physical education as a tool to contribute towards achieving the internationally agreed development goals, including those contained in the United Nations Millennium Declaration[20] and the broader aims of development and peace;

(*c*) To work collectively so that sport and physical education can present opportunities for solidarity and cooperation in order to promote a culture of peace and social and gender equality and to advocate dialogue and harmony;

(*d*) To recognize the contribution of sport and physical education towards economic and social development and to encourage the building and restoration of sports infrastructures;

(*e*) To further promote sport and physical education, on the basis of locally assessed needs, as a tool for health, education, social and cultural development;

(*f*) To strengthen cooperation and partnership between all actors, including family, school, clubs/leagues, local communities, youth sports associations and decision makers as well as the public and private sectors, in order to ensure complementarities and to make sport and physical education available to everyone;

(*g*) To ensure that young talents can develop their athletic potential without any threat to their safety and physical and moral integrity;

2. *Encourages* Governments, international sports bodies and sport-related organizations to elaborate and implement partnership initiatives and development projects compatible with the education provided at all levels of schooling to help achieve the Millennium Development Goals;

3. *Invites* Governments and international sports bodies to assist developing countries, in particular the least developed

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[14] See *Official Records of the General Assembly, Fifty-eighth Session, Plenary Meetings*, 2nd meeting (A/58/PV.2), and corrigendum.

[15] Resolution 44/25, annex.

[16] Resolution S-27/2, annex.

[17] See United Nations Educational, Scientific and Cultural Organization, *Records of the General Conference, Twentieth Session, Paris, 24 October–28 November 1978*, vol. 1: *Resolutions*.

[18] Ibid., *Final Report of the World Education Forum, Dakar, Senegal, 26–28 April 2000*, Paris, 2000.

[19] Council of Europe, *European Treaty Series*, No. 135.

[20] See resolution 55/2.

countries and small island developing States, in their capacity-building efforts in sport and physical education;

4. *Encourages* the United Nations to develop strategic partnerships with the range of stakeholders involved in sport, including sports organizations, sports associations and the private sector, to assist in the implementation of sport for development programmes;

5. *Encourages* Governments and the United Nations system to seek new and innovative ways to use sport for communication and social mobilization, particularly at the national, regional and local levels, engaging civil society through active participation and ensuring that target audiences are reached;

6. *Stresses* the need for all parties to cooperate closely with international sports bodies to elaborate a "code of good practice";

7. *Invites* Governments to accelerate the elaboration of an international anti-doping convention in all sports activities, and requests the United Nations Educational, Scientific and Cultural Organization, in cooperation with other relevant international and regional organizations, to coordinate the elaboration of such a convention;

8. *Decides* to proclaim 2005 the International Year for Sport and Physical Education, as a means to promote education, health, development and peace, and invites Governments to organize events to underline their commitment and to seek the assistance of sports personalities in this regard;

9. *Requests* the Secretary-General to report to the General Assembly at its fifty-ninth session on the implementation of the present resolution and on the preparation of events at the national and international levels to celebrate the year 2005, under the sub-item entitled "International Year of Sport and Physical Education".

RESOLUTION 58/6

Adopted at the 52nd plenary meeting, on 3 November 2003, without a vote, on the basis of draft resolution A/58/L.9 and Add.1, sponsored by: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

58/6. Building a peaceful and better world through sport and the Olympic ideal

The General Assembly,

Recalling its resolution 56/75 of 11 December 2001, in which it decided to include in the provisional agenda of its fifty-eighth session the item entitled "Building a peaceful and better world through sport and the Olympic Ideal"[21] and its decision to consider this item every two years in advance of each Summer and Winter Olympic Games,

Recalling also its resolution 48/11 of 25 October 1993, which, inter alia, revived the ancient Greek tradition of *ekecheiria* or "Olympic Truce" calling for a truce during the Games that would encourage a peaceful environment and ensuring the safe passage and participation of athletes and others at the Games and, thereby, mobilizing the youth of the world to the cause of peace,

Taking into account the inclusion in the United Nations Millennium Declaration[22] of an appeal for the observance of the Olympic Truce now and in the future and support for the International Olympic Committee in its efforts to promote peace and human understanding through sport and the Olympic ideal,

Noting that the Games of the XXVIII Olympiad will take place from 13 to 29 August 2004 in Athens, in Greece, where the Olympic Games were born in ancient times and revived in 1896, and where the tradition of the Olympic Truce was first established,

Welcoming the initiative of the Secretary-General to establish the United Nations Inter-agency Task Force on Sport for Development and Peace,

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[21] At its 2nd plenary meeting, on 19 September 2003, the General Assembly decided to include in the agenda of its fifty-eighth session an item entitled "Sport for peace and development", including a sub-item entitled "Building a peaceful and better world through sport and the Olympic ideal".

[22] See resolution 55/2.

Recognizing the important role of sport in the implementation of the internationally agreed development goals, including those contained in the Millennium Declaration,

Recognizing also the valuable contribution that the appeal launched by the International Olympic Committee for an Olympic Truce, with which the National Olympic Committees of the Member States are associated, could make towards advancing the purposes and principles of the Charter of the United Nations,

Noting with satisfaction the flying of the United Nations flag at all competition sites of the Olympic Games, and the joint endeavours of the International Olympic Committee and the United Nations system in fields such as poverty alleviation, human and economic development, humanitarian assistance, education, health promotion, gender equality, environmental protection and HIV/AIDS prevention,

Welcoming the establishment by the International Olympic Committee of an International Olympic Truce Foundation and an International Olympic Truce Centre to promote further the ideals of peace and understanding through sport, on whose Board the President in office of the General Assembly sits and the Secretary-General and the Director-General of the United Nations Educational, Scientific and Cultural Organization are represented,

Welcoming also the individual support of world personalities for the promotion of the Olympic Truce,

1. *Urges* Member States to observe, within the framework of the Charter of the United Nations, the Olympic Truce, individually and collectively, during the Games of the XXVIII Olympiad, to be held in Athens;

2. *Welcomes* the decision of the International Olympic Committee to mobilize all international sports organizations and the National Olympic Committees of the Member States to undertake concrete actions at the local, national, regional and world levels to promote and strengthen a culture of peace based on the spirit of the Olympic Truce;

3. *Calls upon* all Member States to cooperate with the International Olympic Committee in its efforts to use the Olympic Truce as an instrument to promote peace, dialogue and reconciliation in areas of conflict during and beyond the Olympic Games period;

4. *Welcomes* the increased implementation of projects for development through sport, and encourages Member States and all concerned agencies and programmes of the United Nations system to strengthen their work in this field, in cooperation with the International Olympic Committee;

5. *Requests* the Secretary-General to promote the observance of the Olympic Truce among Member States and support for human development initiatives through sport, and to cooperate with the International Olympic Committee in the realization of these objectives;

6. *Decides* to include in the provisional agenda of its sixtieth session the sub-item entitled "Building a peaceful and better world through sport and the Olympic Ideal" and to consider this sub-item before the XX Olympic Winter Games.

RESOLUTION 58/7

Adopted at the 54th plenary meeting, on 4 November 2003, by a recorded vote of 179 to 3, with 2 abstentions,* on the basis of draft resolution A/58/L.4, sponsored by Cuba

* *In favour:* Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kiribati, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: Israel, Marshall Islands, United States of America

Abstaining: Micronesia (Federated States of), Morocco

58/7. Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba

The General Assembly,

Determined to encourage strict compliance with the purposes and principles enshrined in the Charter of the United Nations,

Reaffirming, among other principles, the sovereign equality of States, non-intervention and non-interference in their internal affairs and freedom of international trade and navigation, which are also enshrined in many international legal instruments, *Recalling* the statements of the heads of State or Government at the Ibero-American Summits concerning the need to eliminate the unilateral application of economic and trade measures by one State against another that affect the free flow of international trade,

Concerned at the continued promulgation and application by Member States of laws and regulations, such as that promulgated on 12 March 1996 known as the "Helms-Burton Act", the extraterritorial effects of which affect the sovereignty of other States, the legitimate interests of entities or persons under their jurisdiction and the freedom of trade and navigation,

Taking note of declarations and resolutions of different intergovernmental forums, bodies and Governments that express the rejection by the international community and public opinion of the promulgation and application of regulations of the kind referred to above,

Recalling its resolutions 47/19 of 24 November 1992, 48/16 of 3 November 1993, 49/9 of 26 October 1994, 50/10 of 2 November 1995, 51/17 of 12 November 1996, 52/10 of 5 November 1997, 53/4 of 14 October 1998, 54/21 of 9 November 1999, 55/20 of 9 November 2000, 56/9 of 27 November 2001 and 57/11 of 12 November 2002,

Concerned that, since the adoption of its resolutions 47/19, 48/16, 49/9, 50/10, 51/17, 52/10, 53/4, 54/21, 55/20, 56/9 and 57/11, further measures of that nature aimed at strengthening and extending the economic, commercial and financial embargo against Cuba continue to be promulgated and applied, and concerned also at the adverse effects of such measures on the Cuban people and on Cuban nationals living in other countries,

1. *Takes note* of the report of the Secretary-General on the implementation of resolution 57/11;[23]

2. *Reiterates its call upon* all States to refrain from promulgating and applying laws and measures of the kind referred to in the preamble to the present resolution in conformity with their obligations under the Charter of the United Nations and international law, which, inter alia, reaffirm the freedom of trade and navigation;

3. *Once again urges* States that have and continue to apply such laws and measures to take the necessary steps to repeal or invalidate them as soon as possible in accordance with their legal regime;

4. *Requests* the Secretary-General, in consultation with the appropriate organs and agencies of the United Nations system, to prepare a report on the implementation of the present resolution in the light of the purposes and principles of the Charter and international law and to submit it to the General Assembly at its fifty-ninth session;

5. *Decides* to include in the provisional agenda of its fifty-ninth session the item entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba".

RESOLUTION 58/8

Adopted at the 55th plenary meeting, on 4 November 2003, by a recorded vote of 129 to 1, with no abstentions,* on the basis of draft resolution A/58/L.10 and Add.1, sponsored by: Albania, Andorra, Angola, Argentina, Armenia, Australia, Austria, Belarus, Belgium, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Central African Republic, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, Egypt, Estonia, Finland, France, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, India, Ireland, Italy, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Mauritius, Mexico, Monaco, Netherlands, New Zealand, Nicaragua, Norway, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Serbia and Montenegro, Sierra Leone, Slovakia, Slovenia, South Africa, Spain, Sudan, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Turkey, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela

* *In favour:* Albania, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Bahamas, Bahrain, Belarus, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina, Brazil, Brunei Darussalam, Bulgaria, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Costa Rica, Croatia, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Dominican Republic, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Ghana, Greece, Guatemala, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Italy, Jamaica, Japan, Kazakhstan, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Mali, Malta, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Russian Federation, San Marino, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Togo, Tonga, Tunisia, Turkey, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: Democratic People's Republic of Korea

Abstaining: None

58/8. Report of the International Atomic Energy Agency

The General Assembly,

Having received the report of the International Atomic Energy Agency for 2002,[24]

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[23] A/58/287.

[24] International Atomic Energy Agency, *The Annual Report for 2002* (Austria, July 2003) (GC(47)/2); transmitted to the members of the General Assembly by a note by the Secretary-General (A/58/312).

Taking note of the statement of the Director General of the International Atomic Energy Agency,[25] in which he provided additional information on the main developments in the activities of the Agency during 2003,

Recognizing the importance of the work of the Agency,

Recognizing also the cooperation between the United Nations and the Agency and the Agreement governing the relationship between the United Nations and the Agency as approved by the General Conference of the Agency on 23 October 1957 and by the General Assembly in the annex to its resolution 1145 (XII) of 14 November 1957,

1. *Takes note with appreciation* of the report of the International Atomic Energy Agency;[24]

2. *Takes note* of resolutions GC(47)/RES/7A on measures to strengthen international cooperation in nuclear, radiation and transport safety and waste management, GC(47)/RES/7B on the code of conduct on the safety and security of radioactive sources, GC(47)/RES/7C on transport safety, GC(47)/RES/8 on nuclear and radiological security – progress on measures to protect against nuclear and radiological terrorism, GC(47)/RES/9 on strengthening of the Agency's technical cooperation activities, GC(47)/RES/10A on strengthening the Agency's activities related to nuclear science, technology and applications, GC(47)/RES/10B on nuclear knowledge, GC(47)/RES/10C on Agency activities in the development of innovative nuclear technology, GC(47)/RES/10D on the use of isotope hydrology for water resources management, GC(47)/RES/10E on a plan for producing potable water economically using small and medium-sized nuclear reactors, GC(47)/RES/11 on strengthening the effectiveness and improving the efficiency of the safeguards system and application of the Model Additional Protocol, GC(47)/RES/12 on implementation of the Agreement between the Agency and the Democratic People's Republic of Korea for the application of safeguards in connection with the Treaty on the Non-Proliferation of Nuclear Weapons, GC(47)/RES/13 on the application of Agency safeguards in the Middle East, GC(47)/RES/14A on staffing of the Agency's secretariat and GC(47)/RES/14B on women in the secretariat, and decisions GC(47)/DEC/12 on implementation of United Nations Security Council resolutions relating to Iraq, GC(47)/DEC/13 on Israeli nuclear capabilities and threat and GC(47)/DEC/14 on the amendment to article VI of the statute, adopted on 19 September 2003 by the General Conference of the Agency at its forty-seventh regular session;[26]

3. *Affirms its support* for the indispensable role of the Agency in encouraging and assisting the development and practical application of atomic energy for peaceful uses, in technology transfer to developing countries and in nuclear safety, verification and security;

4. *Appeals* to Member States to continue to support the activities of the Agency;

5. *Requests* the Secretary-General to transmit to the Director General of the Agency the records of the fifty-eighth session of the General Assembly relating to the activities of the Agency.

RESOLUTION 58/9

Adopted at the 56th plenary meeting, on 5 November 2003, without a vote, on the basis of draft resolution A/58/L.3/Rev.1 and Add.1, sponsored by: Algeria, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belgium, Brunei Darussalam, China, Costa Rica, Cuba, Djibouti, Dominican Republic, Ecuador, Egypt, Fiji, France, Greece, Grenada, Guyana, Iceland, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Italy, Kenya, Kuwait, Lebanon, Luxembourg, Malaysia, Namibia, Nauru, Oman, Pakistan, Panama, Poland, Portugal, Qatar, Republic of Moldova, Russian Federation, Saudi Arabia, Singapore, Slovenia, South Africa, Sudan, Switzerland, Syrian Arab Republic, the former Yugoslav Republic of Macedonia, Trinidad and Tobago, Tunisia, United Arab Emirates, United States of America, Viet Nam, Yemen

58/9. Global road safety crisis

The General Assembly,

Recalling its resolution 57/309 of 22 May 2003,

Welcoming the report of the Secretary-General on the global road safety crisis,[27]

Expressing great concern at the rapid increase, particularly in developing countries, in traffic fatalities and injuries worldwide, which accounted for an estimated 1.26 million deaths in 2000 and which disproportionately affect people in low- and middle-income countries, and also expressing concern at the economic costs of road traffic injuries, which amount to 518 billion United States dollars per annum worldwide, with developing countries bearing 100 billion dollars of the cost,

Convinced that road traffic injuries are a major public health problem requiring concerted multisectoral efforts for effective and sustainable prevention,

Affirming the need for a worldwide effort to raise awareness about the health impact and social and economic costs of injuries caused by road traffic accidents,

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[25] See *Official Records of the General Assembly, Fifty-eighth Session, Plenary Meetings*, 52nd meeting (A/58/PV.52), and corrigendum.

[26] See International Atomic Energy Agency, *Resolutions and Other Decisions of the General Conference, Forty-seventh Regular Session, 15–19 September 2003* (GC(47)/RES/DEC(2003)).

[27] A/58/228.

Recognizing that effective action requires strong political commitment, in particular at the national but also at the international level,

Recognizing also that road traffic injuries are a preventable and treatable problem,

Emphasizing the need for the private sector and relevant non-governmental organizations to participate actively in promoting road traffic safety,

Convinced that road safety requires partnerships, bridging many sectors of society, to promote and facilitate efforts to prevent road traffic injuries,

Convinced also that responsibility for road safety rests at the local, municipal and national levels, and recognizing that many developing countries have limited capacities to address these issues,

Recognizing the importance of further strengthening the efforts of developing countries to build capacities in the field of road safety, and of providing financial and technical support for those efforts,

Welcoming the efforts of the relevant United Nations agencies and many other organizations in promoting road traffic safety,

Commending the World Health Organization for its important work, and welcoming the selection of the theme "Road safety" for the observance of World Health Day on 7 April 2004, when the World Health Organization will release its *World Report on Road Traffic Injury Prevention*,

1. *Decides* to hold a plenary meeting of the General Assembly on 14 April 2004 in connection with World Health Day and the launching of the *World Report on Road Traffic Injury Prevention* to increase awareness at a high level of the magnitude of the road traffic injury problem, and invites Governments to participate, as appropriate;

2. *Invites* the President of the General Assembly, the Secretary-General, the Director-General of the World Health Organization, the President of the World Bank, the Executive Director of the United Nations Children's Fund and the Administrator of the United Nations Development Programme to address the Assembly;

3. *Invites* the Economic and Social Council, working with other relevant organizations and bodies of the United Nations system, and through its regional commissions, to facilitate the exchange of information on best road traffic safety practices and the development of recommendations for road traffic injury control;

4. *Requests* the Department of Public Information of the Secretariat to organize a meeting of experts, the private sector, relevant non-governmental organizations, members of civil society and other interested parties, including the media, on the morning of 15 April 2004, in conjunction with the plenary meeting, to raise awareness and exchange information on best road practices;

5. *Underlines* the need for international cooperation to deal with issues of road safety;

6. *Requests* the Secretary-General, through an appropriate United Nations body, to submit a report to the General Assembly at its sixtieth session on the progress made in improving global road safety and the issues referred to in the present resolution, also taking into consideration the views expressed during the meetings on 14 and 15 April 2004;

7. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "Global road safety crisis".

RESOLUTION 58/10

Adopted at the 56th plenary meeting, on 5 November 2003, without a vote, on the basis of draft resolution A/58/L.12 and Add.1, sponsored by: Angola, Argentina, Benin, Brazil, Cape Verde, Congo, Côte d'Ivoire, Democratic Republic of the Congo, Gabon, Ghana, Guinea, Liberia, Namibia, Nigeria, Senegal, Sierra Leone, Togo, Uruguay

58/10. Zone of peace and cooperation of the South Atlantic

The General Assembly,

Recalling its resolution 41/11 of 27 October 1986, in which it solemnly declared the Atlantic Ocean, in the region between Africa and South America, a zone of peace and cooperation of the South Atlantic,

Recalling also its subsequent resolutions on the matter, including resolution 45/36 of 27 November 1990, in which it reaffirmed the determination of the States of the zone to enhance and accelerate their cooperation in the political, economic, scientific, cultural and other spheres,

Reaffirming the importance of the purposes and objectives of the zone of peace and cooperation of the South Atlantic as a basis for the promotion of cooperation among the countries of the region,

Reaffirming also that the questions of peace and security and those of development are interrelated and inseparable and that cooperation for peace and development among States of the region will promote the objectives of the zone of peace and cooperation of the South Atlantic,

Recalling the agreement reached at the third meeting of the States members of the zone, held in Brasilia on 21 and 22 September 1994, to encourage democracy and political pluralism and, in accordance with the Vienna Declaration and Programme of Action, adopted by the World Conference on

Human Rights on 25 June 1993,[28] to promote and defend all human rights and fundamental freedoms and to cooperate towards the achievement of these goals,

Aware of the importance that the States of the zone attach to the protection of the environment of the region, and recognizing the threat that pollution from any source poses to the marine and coastal environment, its ecological balance and its resources,

Welcoming the adoption of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects at the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, held in New York from 9 to 20 July 2001,[29]

Taking note with appreciation of the report of the Secretary-General, submitted in accordance with resolution 56/7 of 21 November 2001,[30]

1. *Calls upon* all States to cooperate in the promotion of the objectives established in the declaration of the zone of peace and cooperation of the South Atlantic and to refrain from any action inconsistent with those objectives and with the Charter of the United Nations and relevant resolutions of the Organization, in particular actions that may create or aggravate situations of tension and potential conflict in the region;

2. *Notes with satisfaction* the full entry into force of the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco),[31] and also notes with satisfaction the progress towards the full entry into force of the African Nuclear-Weapon-Free Zone Treaty (Treaty of Pelindaba);[32]

3. *Encourages* all States, in particular the members of the zone of peace and cooperation of the South Atlantic, to cooperate in promoting and strengthening global, regional, subregional and national initiatives to prevent, combat and eradicate the illicit trade in small arms and light weapons;

4. *Commends* regional efforts being undertaken by States members of the zone in support of the implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects,[29] and calls upon them to keep up their efforts in this regard;

5. *Affirms* the importance of the South Atlantic to global maritime and commercial transactions, and its determination to preserve the region for all peaceful purposes and activities protected by international law, in particular the United Nations Convention on the Law of the Sea;[33]

6. *Views with concern* the increase in drug trafficking and related crimes, including drug abuse, and calls upon the international community and the States members of the zone to promote regional and international cooperation to combat all aspects of the problem of drugs and related offences;

7. *Recognizes*, in the light of the number, magnitude and complexity of natural disasters and other emergencies, the need to continue to strengthen the coordination of humanitarian assistance by States members of the zone, so as to ensure a timely and effective response;

8. *Welcomes* the offer by Benin to host the sixth meeting of the States members of the zone;

9. *Requests* the relevant organizations, organs and bodies of the United Nations system to render all appropriate assistance that States members of the zone may seek in their joint efforts to implement the declaration of the zone of peace and cooperation of the South Atlantic;

10. *Requests* the Secretary-General to keep the implementation of resolution 41/11 and subsequent resolutions on the matter under review and to submit a report to the General Assembly at its sixtieth session, taking into account, inter alia, the views expressed by Member States;

11. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "Zone of peace and cooperation of the South Atlantic".

RESOLUTION 58/11

Adopted at the 59th plenary meeting, on 10 November 2003, without a vote, on the basis of draft resolution A/58/L.14 and Add.1, sponsored by: Afghanistan, Algeria, Argentina, Azerbaijan, Bangladesh, Barbados, Belarus, Belize, Benin, Burkina Faso, Burundi, Cambodia, Cameroon, Chile, Colombia, Cuba, Democratic Republic of the Congo, Ecuador, Egypt, El Salvador, Ethiopia, Gambia, Guatemala, India, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Madagascar, Malawi, Marshall Islands, Mauritius, Mongolia, Morocco, Namibia, Nigeria, Pakistan, Papua New Guinea, Philippines, Qatar, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Senegal, Sudan, Swaziland, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam

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[28] A/CONF.157/24 (Part I), chap. III.

[29] A/CONF.192/15, chap. IV, para. 24.

[30] A/58/265.

[31] United Nations, *Treaty Series*, vol. 634, No. 9068.

[32] See A/50/426, annex.

[33] See *The Law of the Sea: Official Texts of the United Nations Convention on the Law of the Sea of 10 December 1982 and of the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982 with Index and Excerpts from the Final Act of the Third United Nations Conference on the Law of the Sea* (United Nations publication, Sales No. E.97.V.10).

58/11. International Decade for a Culture of Peace and Non-Violence for the Children of the World, 2001–2010

The General Assembly,

Bearing in mind the Charter of the United Nations, including the purposes and principles contained therein, and especially the dedication to saving succeeding generations from the scourge of war,

Recalling the Constitution of the United Nations Educational, Scientific and Cultural Organization, which states that, "since wars begin in the minds of men, it is in the minds of men that the defences of peace must be constructed",

Recalling also its previous resolutions on a culture of peace, in particular resolution 52/15 of 20 November 1997 proclaiming 2000 the International Year for the Culture of Peace, resolution 53/25 of 10 November 1998 proclaiming the period 2001–2010 the International Decade for a Culture of Peace and Non-Violence for the Children of the World, resolution 56/5 of 5 November 2001 and resolution 57/6 of 4 November 2002,

Reaffirming the Declaration[34] and Programme of Action[35] on a Culture of Peace, recognizing that they serve, inter alia, as the basis for the observance of the Decade, and convinced that the effective and successful observance of the Decade throughout the world will promote a culture of peace and non-violence that benefits humanity, in particular future generations,

Recalling the United Nations Millennium Declaration,[36] which calls for the active promotion of a culture of peace,

Taking note of Commission on Human Rights resolution 2000/66 of 26 April 2000, entitled "Towards a culture of peace",[37]

Taking note also of the report of the Secretary-General on the International Decade for a Culture of Peace and Non-Violence for the Children of the World,[38] including paragraph 28 thereof, which indicates that each of the ten years of the Decade will be marked with a different priority theme related to the Programme of Action,

Noting the relevance of the World Summit on Sustainable Development, held in Johannesburg, South Africa, from 26 August to 4 September 2002, the International Conference on Financing for Development, held in Monterrey, Mexico, from 18 to 22 March 2002, the special session of the General Assembly on children, held in New York from 8 to 10 May 2002, the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held in Durban, South Africa, from 31 August to 7 September 2001, and the United Nations Decade for Human Rights Education, 1995–2004, for the International Decade for a Culture of Peace and Non-Violence for the Children of the World, 2001–2010, as well as the need to implement, as appropriate, the relevant decisions agreed upon therein,

Recognizing that all efforts made by the United Nations system in general and the international community at large for peacekeeping, peace-building, the prevention of conflicts, disarmament, sustainable development, the promotion of human dignity and human rights, democracy, the rule of law, good governance and gender equality at the national and international levels contribute greatly to the culture of peace,

Noting that its resolution 57/337 of 3 July 2003 on the prevention of armed conflict could contribute to the further promotion of a culture of peace,

Taking into account the "Manifesto 2000" initiative of the United Nations Educational, Scientific and Cultural Organization promoting a culture of peace, which has so far received over seventy-five million signatures of endorsement throughout the world,

Taking note with appreciation of the report of the Director-General of the United Nations Educational, Scientific and Cultural Organization on the implementation of General Assembly resolution 57/6,[39]

1. *Reiterates* that the objective of the International Decade for a Culture of Peace and Non-Violence for the Children of the World, 2001–2010, is to strengthen further the global movement for a culture of peace following the observance of the International Year for the Culture of Peace in 2000;

2. *Invites* Member States to continue to place greater emphasis on and expand their activities promoting a culture of peace and non-violence, in particular during the Decade, at the national, regional and international levels and to ensure that peace and non-violence are fostered at all levels;

3. *Commends* the United Nations Educational, Scientific and Cultural Organization for recognizing the promotion of a culture of peace as the expression of its fundamental mandate, and encourages it, as the lead agency for the Decade, to strengthen further the activities it has undertaken for promoting a culture of peace, including the dissemination of the Declaration[34] and Programme of Action[35] on a Culture of Peace and related materials in various languages across the world;

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[34] Resolution 53/243 A.

[35] Resolution 53/243 B.

[36] See resolution 55/2.

[37] See *Official Records of the Economic and Social Council, 2000, Supplement No. 3* and corrigendum (E/2000/23 and Corr.1), chap. II, sect. A.

[38] A/56/349.

[39] See A/58/182.

4. *Also commends* the relevant United Nations bodies, in particular the United Nations Children's Fund, the United Nations Development Fund for Women and the University for Peace, for their activities in further promoting a culture of peace and non-violence, including the promotion of peace education and activities related to specific areas identified in the Programme of Action on a Culture of Peace, and encourages them to continue and further strengthen and expand their efforts;

5. *Encourages* the appropriate authorities to provide education, in children's schools, that includes lessons in mutual understanding, tolerance, active citizenship, human rights and the promotion of a culture of peace;

6. *Encourages* civil society, including non-governmental organizations, to strengthen its efforts in furtherance of the objectives of the Decade, inter alia, by adopting its own programme of activities to complement the initiatives of Member States, the organizations of the United Nations system and other international and regional organizations;

7. *Encourages* the involvement of the mass media in education for a culture of peace and non-violence, with particular regard to children and young people, including through the planned expansion of the Culture of Peace News Network as a global network of Internet sites in many languages;

8. *Welcomes* the efforts made by the United Nations Educational, Scientific and Cultural Organization to continue the communication and networking arrangements established during the International Year for providing an instant update of developments related to the observance of the Decade;

9. *Invites* Member States to observe 21 September each year as the International Day of Peace, as a day of global ceasefire and non-violence, in accordance with General Assembly resolution 55/282 of 7 September 2001;

10. *Invites* Member States as well as civil society, including non-governmental organizations, to provide information to the Secretary-General on the observance of the Decade and the activities undertaken to promote a culture of peace and non-violence;

11. *Emphasizes* the significance of the plenary meetings on the item planned for its sixtieth session,[40] and in that regard encourages participation at a high level, and decides to consider, at an appropriate time, the possibility of organizing those meetings as close as possible to the general debate;

12. *Requests* the Secretary-General to submit to the General Assembly at its fifty-ninth session a report on the implementation of the present resolution;

13. *Decides* to include in the provisional agenda of its fifty-ninth session the item entitled "Culture of peace".

RESOLUTION 58/12

Adopted at the 59th plenary meeting, on 10 November 2003, without a vote, on the basis of draft resolution A/58/L.16 and Add.1, sponsored by: Algeria, Andorra, Argentina, Belize, Bolivia, Burkina Faso, Chile, Colombia, Comoros, Congo, Costa Rica, Croatia, Cyprus, Dominican Republic, Ecuador, El Salvador, Greece, Grenada, Guatemala, Guyana, Honduras, Monaco, Mongolia, Nicaragua, Panama, Paraguay, Peru, Republic of Moldova, Russian Federation, Spain, Switzerland, Tajikistan, the former Yugoslav Republic of Macedonia, Timor-Leste, Trinidad and Tobago, Ukraine, Uruguay

58/12. University for Peace

The General Assembly,

Recalling its resolution 56/2 of 22 October 2001, in which it recalled that, in its resolution 34/111 of 14 December 1979, it had approved the idea of establishing the University for Peace as a specialized international centre for higher education, research and the dissemination of knowledge relative to peace and its universal promotion within the United Nations system, and in which it also recalled its resolution 35/55 of 5 December 1980, in which it approved the establishment of the University for Peace, as well as all preceding resolutions on this item,

Noting that in 1991 the Secretary-General, with the assistance of the United Nations Development Programme, established a Trust Fund for Peace consisting of voluntary contributions in order to provide the University with the means necessary to extend its sphere of activity to the whole world, taking full advantage of its potential capacity for education, research and support of the United Nations and to carry out its mandate of promoting peace in the world,

Noting with appreciation the vigorous actions taken by the Secretary-General, in consultation with the Director-General of the United Nations Educational, Scientific and Cultural Organization and with the encouragement and support of the Government of Costa Rica, to revitalize the University,[41]

Recognizing the important and varied activities carried out by the University during the period from 2001 to 2003, with the valuable assistance and contributions of Governments, foundations and non-governmental organizations, in particular the progress made in the development and implementation of the academic programme and the expansion of its scope worldwide as part of a five-year programme of expansion and revitalization,

Noting with satisfaction the activities directed towards expanding the University's educational and research programmes to Africa, Asia and the Pacific, Central Asia and Latin America and the Caribbean,

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[40] See resolution 55/47, para. 13.

[41] See A/54/312, para. 2.

Also noting with satisfaction the progress made in the development of teaching programmes at the master's level, short courses, programmes to disseminate course materials and distance education and the establishment of a digital library on peace-related issues,

Noting that the University has placed special emphasis on the areas of conflict prevention, peacekeeping, peace-building and the peaceful settlement of disputes, and that it has launched programmes in the areas of democratic consensus-building and the techniques of peaceful settlement of conflicts,

Noting also that the University has launched a broad programme for building a culture of peace in Central America and the Caribbean in the context of the efforts being made by the United Nations and the United Nations Educational, Scientific and Cultural Organization for the development and promotion of a culture of peace,

Noting with appreciation the intensifying collaboration between the University and organizations and agencies of the United Nations, particularly the United Nations University, the United Nations Educational, Scientific and Cultural Organization, the Department of Political Affairs and the Department for Disarmament Affairs of the Secretariat, the United Nations Development Programme, the United Nations Institute for Training and Research and others,

Considering the importance of promoting education that fosters peaceful coexistence among people, including respect for the life, dignity and integrity of human beings, irrespective of their nationality, race, sex, religion or culture, as well as friendship and solidarity among peoples,

1. *Takes note with appreciation* of the report of the Secretary-General outlining the progress made in revitalizing the University for Peace, especially in regard to implementation of the five-year programme of expansion and revitalization;[42]

2. *Requests* the Secretary-General, in view of the important work of the University for Peace and its potential role in developing new concepts and approaches to security through research and dialogue in order to respond effectively to emerging threats to peace, to consider further ways to strengthen cooperation between the United Nations and the University for Peace;

3. *Also requests* the Secretary-General to consider using the services of the University as part of his conflict-resolution and peace-building efforts and in the promotion of the Declaration and Programme of Action on a Culture of Peace;[43]

4. *Invites* Member States, intergovernmental bodies, non-governmental organizations and interested individuals to contribute to the Trust Fund for Peace or to the budget of the University;

5. *Invites* Member States to accede to the International Agreement for the Establishment of the University for Peace,[44] thereby demonstrating their support for an educational institution devoted to the promotion of a universal culture of peace;

6. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "University for Peace".

RESOLUTION 58/13

Adopted at the 62nd plenary meeting, on 17 November 2003, without a vote, on the basis of draft resolution A/58/L.15 and Add.1, as orally revised, sponsored by: Afghanistan, Albania, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Central African Republic, Chad, Chile, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, El Salvador, Equatorial Guinea, Estonia, Ethiopia, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Hungary, Iceland, India, Indonesia, Ireland, Italy, Japan, Kazakhstan, Kenya, Kyrgyzstan, Latvia, Lesotho, Liechtenstein, Lithuania, Luxembourg, Madagascar, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Micronesia (Federated States of), Monaco, Mongolia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Slovakia, Slovenia, Somalia, South Africa, Spain, Sudan, Suriname, Sweden, Switzerland, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Turkey, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Yemen, Zambia

58/13. Support by the United Nations system of the efforts of Governments to promote and consolidate new or restored democracies

The General Assembly,

Bearing in mind the indissoluble links between the principles embodied in the Universal Declaration of Human Rights[45] and the foundations of any democratic society,

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[42] A/58/430.

[43] Resolutions 53/243 A and B.

[44] See resolution 35/55, annex.

[45] Resolution 217 A (III).

Recalling its resolutions 49/30 of 7 December 1994, 50/133 of 20 December 1995, 51/31 of 6 December 1996, 52/18 of 21 November 1997, 53/31 of 23 November 1998, 54/36 of 29 November 1999, 55/43 of 27 November 2000, 56/96 of 14 December 2001 and 56/269 of 27 March 2002,

Recalling also the United Nations Millennium Declaration adopted by heads of State and Government on 8 September 2000,[46] in particular paragraphs 6 and 24 thereof,

Recalling further the declarations and plans of action of the five international conferences of new or restored democracies adopted in Manila in 1988, Managua in 1994, Bucharest in 1997, Cotonou in 2000 and Ulaanbaatar in 2003,

Recalling that the Fifth International Conference of New or Restored Democracies, which was held in Ulaanbaatar from 10 to 12 September 2003, focused on democracy, good governance and civil society,

Considering the major changes taking place on the international scene and the aspirations of all peoples for an international order based on the principles enshrined in the Charter of the United Nations, including the promotion and encouragement of respect for human rights and fundamental freedoms for all and other important principles, such as respect for the equal rights and self-determination of peoples, peace, democracy, justice, equality, the rule of law, pluralism, development, better standards of living and solidarity,

Expressing its deep appreciation to the Government of Mongolia for the successful organization of the Fifth International Conference,

Bearing in mind that the activities of the United Nations carried out in support of the efforts of Governments to promote and consolidate democracy are undertaken in accordance with the Charter and only at the specific request of the Member States concerned,

Taking note with satisfaction of the seminars, workshops and conferences on democratization and good governance convened in 2002 and 2003, as well as those held under the auspices of the Fifth International Conference,

Taking note of the views expressed by Member States in the debate on this question at its fifty-sixth to fifty-eighth sessions,

Bearing in mind that democracy, development and respect for all human rights and fundamental freedoms are interdependent and mutually reinforcing and that democracy is based on the freely expressed will of the people to determine their own political, economic, social and cultural systems and on their full participation in all aspects of their lives,

Noting that a considerable number of societies have recently undertaken significant efforts to achieve their social, political and economic goals through democratization, good governance practices and the reform of their economies, pursuits that are deserving of the support and recognition of the international community,

Expressing its deep appreciation for the support provided by Member States, the United Nations system and other intergovernmental organizations to the Government of Mongolia for the holding of the Fifth International Conference,

Taking note of the conclusions of the parliamentarians' forum held in Ulaanbaatar on 11 September 2003 and the contribution of the ensuing parliamentary declaration to the proceedings of the Fifth International Conference,

Welcoming the holding of an international civil society forum within the framework of the Fifth International Conference,

Having considered the report of the Secretary-General[47] and its focus on the Ulaanbaatar Declaration and Plan of Action: Democracy, Good Governance and Civil Society, adopted on 12 September 2003 at the Fifth International Conference,[48]

1. *Takes note with appreciation* of the report of the Secretary-General;[47]

2. *Welcomes* the Ulaanbaatar Declaration and Plan of Action: Democracy, Good Governance and Civil Society, adopted at the Fifth International Conference of New or Restored Democracies;[48]

3. *Encourages* Member States, the relevant organizations of the United Nations system, other intergovernmental organizations, national parliaments, including in collaboration with the Inter-Parliamentary Union and other parliamentary organizations, and non-governmental organizations to contribute actively to the follow-up to the Fifth International Conference and to make additional efforts to identify possible steps in support of the efforts of Governments to promote and consolidate new or restored democracies, including those set out in the Ulaanbaatar Declaration and Plan of Action;

4. *Recognizes* that the United Nations has an important role to play in providing timely, appropriate and coherent support to the efforts of Governments to achieve democratization and good governance within the context of their development efforts;

5. *Encourages* the Secretary-General to continue to improve the capacity of the Organization to respond effectively to the requests of Member States by providing coherent and

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[46] See resolution 55/2.

[47] A/58/392.

[48] A/58/387, annexes I and II.

adequate support for their efforts to achieve the goals of good governance and democratization;

6. *Stresses* that the activities of the Organization must be undertaken in accordance with the Charter of the United Nations;

7. *Commends* the Secretary-General, and through him the United Nations system, for the activities undertaken at the request of Governments to support efforts to consolidate democracy and good governance, and requests him to continue those activities;

8. *Requests* the Secretary-General to examine options for strengthening the support provided by the United Nations system for the efforts of Member States to consolidate democracy and good governance, including the provision of support to the President of the Fifth International Conference in his efforts to make the Conference and its follow-up more effective and efficient;

9. *Also requests* the Secretary-General to submit a report to the General Assembly at its sixtieth session on the implementation of the present resolution;

10. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "Support by the United Nations system of the efforts of Governments to promote and consolidate new or restored democracies".

RESOLUTION 58/14

Adopted at the 64th plenary meeting, on 24 November 2003, without a vote, on the basis of draft resolution A/58/L.18 and Add.1, sponsored by: Australia, Austria, Belgium, Belize, Brazil, Canada, Cyprus, Denmark, Fiji, Finland, France, Greece, Iceland, Ireland, Italy, Marshall Islands, Mauritius, Monaco, Namibia, Nauru, Netherlands, New Zealand, Norway, Papua New Guinea, Portugal, Russian Federation, Samoa, Sierra Leone, Solomon Islands, South Africa, Spain, Sweden, Tonga, Trinidad and Tobago, Tuvalu, United Kingdom of Great Britain and Northern Ireland, Ukraine, United States of America, Vanuatu

58/14. Sustainable fisheries, including through the 1995 Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, and related instruments

The General Assembly,

Reaffirming its resolutions 46/215 of 20 December 1991, 49/116 and 49/118 of 19 December 1994, 50/25 of 5 December 1995 and 57/142 of 12 December 2002, as well as other resolutions on large-scale pelagic drift-net fishing, unauthorized fishing in zones of national jurisdiction and on the high seas, fisheries by-catch and discards, and other developments, and its resolutions 56/13 of 28 November 2001 and 57/143 of 12 December 2002 on the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks ("the Agreement"),[49]

Recalling the relevant provisions of the United Nations Convention on the Law of the Sea ("the Convention"),[50] and bearing in mind the relationship between the Convention and the Agreement,

Recognizing that, in accordance with the Convention, the Agreement sets forth provisions concerning the conservation and management of straddling fish stocks and highly migratory fish stocks, including provisions on subregional and regional cooperation in enforcement, binding dispute settlement and the rights and obligations of States in authorizing the use of vessels flying their flags for fishing on the high seas,

Noting that the Code of Conduct for Responsible Fisheries of the Food and Agriculture Organization of the United Nations ("the Code")[51] and its associated international plans of action set out principles and global standards of behaviour for responsible practices to conserve, manage and develop fisheries, including guidelines for fishing on the high seas and in areas under the national jurisdiction of other States, and on fishing gear selectivity and practices, with the aim of reducing by-catch and discards,

Noting with satisfaction the Strategy for Improving Information on Status and Trends of Capture Fisheries recently adopted by the Food and Agriculture Organization of the United Nations,[52] and recognizing that the long-term improvement of the knowledge and understanding of fishery status and trends is a fundamental basis for fisheries policy and management for implementing the Code,

Recognizing the need to implement, as a matter of priority, the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation"),[53] in relation to achieving sustainable fisheries,

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[49] *International Fisheries Instruments with Index* (United Nations publication, Sales No. E.98.V.11), sect. I; see also A/CONF.164/37.

[50] See *The Law of the Sea: Official Texts of the United Nations Convention on the Law of the Sea of 10 December 1982 and of the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982 with Index and Excerpts from the Final Act of the Third United Nations Conference on the Law of the Sea* (United Nations publication, Sales No. E.97.V.10).

[51] *International Fisheries Instruments with Index* (United Nations publication, Sales No. E.98.V.11), sect. III.

[52] Food and Agriculture Organization of the United Nations, *Report of the twenty-fifth session of the Committee on Fisheries, Rome, 24–28 February 2003*, appendix H.

[53] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 2, annex.

Deploring the fact that fish stocks, including straddling fish stocks and highly migratory fish stocks, in many parts of the world are overfished or subject to sparsely regulated and heavy fishing efforts, mainly as a result of, inter alia, unauthorized fishing, inadequate regulatory measures and excess fishing capacity,

Concerned that illegal, unreported and unregulated fishing threatens seriously to deplete populations of certain fish species and to significantly damage marine ecosystems, to the detriment of sustainable fisheries as well as the food security and the economies of many States, particularly developing States,

Recognizing that inadequate flag State control over fishing vessels, including those fishing for straddling fish stocks and highly migratory fish stocks, and insufficient monitoring, control and surveillance measures exacerbate the problem of overfishing,

Recognizing also that the interrelationship between ocean activities, such as shipping and fishing, and environmental issues needs further consideration,

Calling attention to the circumstances affecting fisheries in many developing States, in particular African States and small island developing States, and recognizing the urgent need for capacity-building to assist such States in meeting their obligations under international instruments and realizing the benefits from fisheries resources,

Noting the obligation of all States, pursuant to the provisions of the Convention, to cooperate in the conservation and management of straddling fish stocks and highly migratory fish stocks, and recognizing the importance of coordination and cooperation at the global, regional, subregional as well as national levels in the areas, inter alia, of data collection, information-sharing, capacity-building and training for the conservation, management and sustainable development of marine living resources,

Recognizing the duty provided in the Convention, the Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas ("the Compliance Agreement"),[54] the Agreement and the Code for flag States to exercise effective control over fishing vessels flying their flag and vessels flying their flag which provide support to such vessels, and to ensure that the activities of such vessels do not undermine the effectiveness of conservation and management measures taken in accordance with international law and adopted at the national, subregional, regional or global levels,

Recognizing also the urgent need for action at all levels to ensure the long-term sustainable use and management of fisheries resources,

Recognizing further the economic and cultural importance of sharks in many countries, the biological importance of sharks in the marine ecosystem, the vulnerability of some shark species to over-exploitation and the need for measures to promote the long-term sustainability of shark populations and fisheries,

Reaffirming its support for the initiative of the Food and Agriculture Organization of the United Nations and relevant regional and subregional fisheries management organizations and arrangements on the conservation and management of sharks, while noting with concern that only a small number of countries have implemented the International Plan of Action for the Conservation and Management of Sharks, adopted by the Food and Agriculture Organization in 1999,

Noting with satisfaction the outcomes of the second round of informal consultations of States parties to the Agreement, held in New York from 23 to 25 July 2003,

Taking note with appreciation of the report of the Secretary-General,[55] and emphasizing the useful role that the report plays in bringing together information relating to the sustainable development of the world's marine living resources provided by States, relevant international organizations, regional and subregional fisheries organizations and non-governmental organizations,

Noting with satisfaction that the incidence of reported large-scale pelagic drift-net fishing activities in most regions of the world's oceans and seas has continued to be low,

Expressing concern that the practice of large-scale pelagic drift-net fishing remains a threat to marine living resources,

Emphasizing that efforts should be made to ensure that the implementation of resolution 46/215 in some parts of the world does not result in the transfer to other parts of the world of drift nets that contravene the resolution,

Expressing concern at the reports of continued loss of seabirds, particularly albatrosses, as a result of incidental mortality from longline fishing operations, and the loss of other marine species, including sharks and fin-fish species, as a result of incidental mortality, and noting with satisfaction the imminent entry into force of the Agreement for the Conservation of Albatrosses and Petrels under the Convention on the Conservation of Migratory Species of Wild Animals,

Welcoming the fact that a growing number of States, and entities referred to in the Convention and in article 1, paragraph 2 (*b*), of the Agreement, as well as regional and subregional fisheries management organizations and arrangements, have enacted legislation, established regulations, adopted conventions or taken other measures as steps towards implementation of the provisions of the Agreement,

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[54] *International Fisheries Instruments with Index* (United Nations publication, Sales No. E.98.V.11), sect. II.

[55] A/58/215.

Recognizing the significant contribution of sustainable fisheries to food security, income and wealth for present and future generations,

I

Achieving sustainable fisheries

1. *Reaffirms* the importance it attaches to the long-term conservation, management and sustainable use of the marine living resources of the world's oceans and seas and the obligations of States to cooperate to this end, in accordance with international law, as reflected in the relevant provisions of the Convention,[50] in particular the provisions on cooperation set out in Part V and Part VII, section 2, of the Convention regarding straddling stocks, highly migratory species, marine mammals, anadromous stocks and marine living resources of the high seas, and where applicable, the Agreement;[49]

2. *Calls upon* all States that have not done so, in order to achieve the goal of universal participation, to become parties to the Convention, which sets out the legal framework within which all activities in the oceans and seas must be carried out, taking into account the relationship between the Convention and the Agreement;

3. *Reaffirms* the importance of the Johannesburg Plan of Implementation in relation to fisheries, in particular the commitment made therein to restore depleted fish stocks on an urgent basis and, where possible, not later than 2015;[56]

4. *Urges* all States to apply the precautionary approach widely to the conservation, management and exploitation of fish stocks, including straddling fish stocks and highly migratory fish stocks, and calls upon States parties to the Agreement to implement fully the provisions of article 6 of the Agreement as a matter of priority;

II

Implementation of the 1995 Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks

5. *Calls upon* all States, and entities referred to in the Convention and in article 1, paragraph 2 (*b*), of the Agreement, that have not done so to ratify or accede to the Agreement and to consider applying it provisionally;

6. *Emphasizes* the importance of the effective implementation of the provisions of the Agreement, including those provisions relating to bilateral, regional and subregional cooperation in enforcement, and urges continued efforts in this regard;

7. *Welcomes* the entry into force of the Convention on the Conservation and Management of Fishery Resources in the South-East Atlantic Ocean on 13 April 2003, and invites signatory States and other States with real interest whose vessels fish in the Convention area for fishery resources covered by that Convention to ratify or to accede to the Convention;

8. *Calls upon* all States to ensure that their vessels comply with the conservation and management measures that have been adopted by subregional and regional fisheries management organizations and arrangements in accordance with relevant provisions of the Convention and of the Agreement;

9. *Invites* States and international financial institutions and organizations of the United Nations system to provide assistance according to Part VII of the Agreement, including, if appropriate, the development of special financial mechanisms or instruments to assist developing States, in particular the least developed among them and small island developing States, to enable them to develop their national capacity to exploit fishery resources, including developing their domestically flagged fishing fleet, value-added processing and the expansion of their economic base in the fishing industry, consistent with the duty to ensure the proper conservation and management of those fisheries resources;

10. *Decides* to establish an Assistance Fund under Part VII of the Agreement to assist developing States parties in the implementation of the Agreement, to be administered by the Food and Agriculture Organization of the United Nations, which should act as the implementing office for the Fund, in collaboration with the United Nations, in accordance with the terms of reference as agreed at the second round of informal consultations of the States parties to the Agreement and appropriate arrangements made between them;

11. *Emphasizes* the importance of outreach to potential donor organizations to contribute to the programme of assistance, including the Assistance Fund newly established under Part VII of the Agreement;

12. *Recalls* paragraph 6 of its resolution 56/13, and requests the Secretary-General to convene a third round of informal consultations of States parties to the Agreement, for the purposes and objectives of considering the national, regional, subregional and global implementation of the Agreement, in particular by conducting an evaluation of the implementation of the Agreement by regional fisheries management organizations as well as considering initial preparatory steps for the review

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[56] See *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 2, annex, para. 31 (*a*).

conference to be convened by the Secretary-General pursuant to article 36 of the Agreement, and making any appropriate recommendation to the General Assembly;

13. *Requests* the Secretary-General to invite States, and entities referred to in the Convention and in article 1, paragraph 2 (*b*), of the Agreement, not party to the Agreement, as well as the United Nations Development Programme, the Food and Agriculture Organization of the United Nations and other specialized agencies, the Commission on Sustainable Development, the World Bank, the Global Environment Facility and other relevant international financial institutions, regional fishery bodies and arrangements and relevant non-governmental organizations to attend the third round of informal consultations of States parties to the Agreement as observers;

III

Related fisheries instruments

14. *Welcomes* the entry into force of the Compliance Agreement,[54] and calls upon all States and other entities referred to in article 10, paragraph 1, of the Compliance Agreement that have not yet deposited instruments of acceptance to do so as a matter of priority;

15. *Urges* parties to the Compliance Agreement to exchange information in the implementation of that Agreement;

16. *Urges* States and subregional and regional fisheries management organizations and arrangements to promote the application of the Code within their areas of competence;

17. *Invites* States to support implementation of the Strategy for Improving Information on Status and Trends of Capture Fisheries[52] at the national and regional levels, giving particular emphasis to capacity-building in developing countries;

18. *Urges* States to develop and implement national and, as appropriate, regional plans of action to put into effect the international plans of action of the Food and Agriculture Organization of the United Nations, namely the International Plan of Action for the Management of Fishing Capacity, the International Plan of Action for Reducing Incidental Catch of Seabirds in Longline Fisheries, the International Plan of Action for the Conservation and Management of Sharks and the International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing;

IV

Illegal, unreported and unregulated fishing

19. *Calls upon* States not to permit vessels flying their flag to engage in fishing on the high seas or in areas under the national jurisdiction of other States, unless duly authorized by the authorities of the States concerned and in accordance with the conditions set out in the authorization, without having effective control over their activities, and to take specific measures, including deterring the reflagging of vessels by their nationals, in accordance with the relevant provisions of the Convention, the Agreement and the Compliance Agreement, to control fishing operations by vessels flying their flag;

20. *Affirms* the need to strengthen, where necessary, the international legal framework for intergovernmental cooperation, in particular at the regional and subregional levels, in the management of fish stocks and in combating illegal, unreported and unregulated fishing, in a manner consistent with international law, and for States and entities referred to in the Convention and in article 1, paragraph 2 (*b*), of the Agreement to collaborate in efforts to address these types of fishing activities;

21. *Encourages* States to consider becoming members of the International Monitoring, Control, and Surveillance Network for Fisheries-Related Activities, a voluntary network of monitoring, control and surveillance professionals designed to facilitate exchange of information and to support countries in discharging their obligations pursuant to international agreements, in particular the Compliance Agreement;

22. *Invites* the International Maritime Organization and other relevant competent international organizations to study, examine and clarify the role of the "genuine link" in relation to the duty of flag States to exercise effective control over ships flying their flag, including fishing vessels;

23. *Calls upon* flag and port States to take all measures consistent with international law necessary to prevent the operation of sub-standard vessels and illegal, unreported and unregulated fishing activities;

24. *Encourages* States in their work with regional and subregional fisheries management organizations and arrangements to develop and implement vessel monitoring systems and, where appropriate and consistent with international law, trade monitoring schemes;

25. *Urges* States to develop and implement national and, where appropriate, regional plans of action, to put into effect by 2004 the International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing and to establish effective monitoring, reporting and enforcement and control of fishing vessels, including by flag States, to further the International Plan of Action;

26. *Urges* relevant regional and subregional fisheries management organizations and arrangements to implement effective measures against illegal, unreported and unregulated fishing, inter alia, by compiling a record of vessels authorized to fish in their area of competence, in accordance with the Code;

27. *Urges* States to eliminate subsidies that contribute to illegal, unreported and unregulated fishing and to overcapacity, while completing the efforts undertaken at the World Trade Organization to clarify and improve its disciplines on fisheries

subsidies, taking into account the importance of this sector to developing countries;

28. *Commends* the Food and Agriculture Organization of the United Nations for its activities in combating illegal, unreported and unregulated fishing, including its initiative to organize the intergovernmental technical consultation on illegal, unreported and unregulated fishing and fleet overcapacity, to be held in June 2004, and the intergovernmental technical consultation on the role of the port State in combating illegal, unreported and unregulated fishing, to be held in September 2004;

29. *Recognizes* the need for enhanced port State controls to combat illegal, unreported and unregulated fishing, urges States to cooperate, in particular at the regional level, and through regional and subregional fisheries management organizations and arrangements, as well as through participation, where appropriate, in the efforts of the Food and Agriculture Organization of the United Nations in cooperation with the International Maritime Organization to address substantive issues relating to the role of the port State, noting that such efforts include the elaboration of principles and guidelines for the establishment of regional memorandums of understanding on port State measures to prevent, deter and eliminate illegal, unreported and unregulated fishing;

V

Fishing overcapacity

30. *Calls upon* States and relevant regional fisheries management organizations, as a matter of priority, to take effective measures to improve the management of fishing capacity and to put into effect by 2005 the International Plan of Action for the Management of Fishing Capacity, taking into account the need, through these actions, to avoid the transfer of fishing capacity to other fisheries or areas including, but not limited to, those areas where fisheries are overexploited or in a depleted condition;

31. *Urges* those States and other entities referred to in article X, paragraph 1, of the Compliance Agreement that have become parties to it to establish a record of fishing vessels authorized to fish on the high seas and, pursuant to articles IV and VI thereof, to make such a record available to the Food and Agriculture Organization of the United Nations as a matter of priority, and urges the Food and Agriculture Organization to quickly establish the record of fishing vessels as called for in the Compliance Agreement;

32. *Calls upon* all States to assist this work of the Food and Agriculture Organization of the United Nations, to take measures to halt the increase of large-scale fishing vessels in accordance with the International Plan of Action for the Management of Fishing Capacity and to participate in the intergovernmental technical consultation on illegal, unreported and unregulated fishing and fleet overcapacity to be organized by the Food and Agriculture Organization in 2004;

VI

Large-scale pelagic drift-net fishing

33. *Reaffirms* the importance it attaches to continued compliance with its resolution 46/215 and other subsequent resolutions on large-scale pelagic drift-net fishing, and urges States and entities referred to in the Convention and in article 1, paragraph 2 (*b*), of the Agreement to enforce fully the measures recommended in those resolutions;

VII

Fisheries by-catch and discards

34. *Urges* States, relevant international organizations and regional and subregional fisheries management organizations and arrangements that have not done so to take action to reduce or eliminate by-catch, catch by lost or abandoned gear, fish discards and post-harvest losses, including juvenile fish, consistent with international law and relevant international instruments, including the Code, and in particular to consider measures including, as appropriate, technical measures related to fish size, mesh size or gear, discards, closed seasons and areas and zones reserved for selected fisheries, particularly artisanal fisheries, the establishment of mechanisms for communicating information on areas of high concentration of juvenile fish, taking into account the importance of ensuring confidentiality of such information, and support for studies and research that will reduce or eliminate by-catch of juvenile fish;

35. *Encourages* States and entities referred to in the Convention and in article 1, paragraph 2 (*b*), of the Agreement to give due consideration to participation, as appropriate, in regional and subregional organizations with mandates to conserve non-target species taken incidentally in fishing operations, and notes in particular the Inter-American Convention for the Protection and Conservation of Sea Turtles and Their Habitats, regional sea turtle conservation instruments in the West African, the wider Caribbean, and the Indian Ocean/South-East Asia regions, the work of the Southeast Asian Fisheries Development Centre on turtle conservation and management, the Agreement on the Conservation of Small Cetaceans of the Baltic and North Seas[57] and the Agreement on the Conservation of Albatrosses and Petrels under the Convention on the Conservation of Migratory Species of Wild Animals in this regard;

36. *Notes with satisfaction* the activities of the Food and Agriculture Organization of the United Nations, in cooperation with relevant United Nations agencies, in particular the United Nations Environment Programme and the Global Environment

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[57] United Nations, *Treaty Series*, vol. 1772, No. 30865.

Facility, aimed at promoting the reduction of by-catch and discards in fisheries activities;

VIII

Subregional and regional cooperation

37. *Urges* coastal States and States fishing on the high seas, in accordance with the Convention and the Agreement, to pursue cooperation in relation to straddling fish stocks and highly migratory fish stocks, either directly or through appropriate subregional or regional fisheries management organizations or arrangements, to ensure the effective conservation and management of such stocks;

38. *Encourages* States fishing for straddling fish stocks and highly migratory fish stocks on the high seas, and relevant coastal States, where a subregional or regional fisheries management organization or arrangement has the competence to establish conservation and management measures for such stocks, to give effect to their duty to cooperate by becoming members of such an organization or participants in such an arrangement, or by agreeing to apply the conservation and management measures established by such an organization or arrangement;

39. *Invites*, in this regard, subregional and regional fisheries management organizations and arrangements to ensure that all States having a real interest in the fisheries concerned may become members of such organizations or participants in such arrangements, in accordance with the Convention and the Agreement;

40. *Encourages* relevant coastal States and States fishing on the high seas for a straddling fish stock or a highly migratory fish stock, where there is no subregional or regional fisheries management organization or arrangement to establish conservation and management measures for such stock, to cooperate to establish such an organization or enter into another appropriate arrangement to ensure the conservation and management of such stocks, and to participate in the work of the organization or arrangement;

41. *Welcomes* the initiation of negotiations and ongoing preparatory work to establish regional and subregional fisheries management organizations or arrangements in several fisheries, and urges participants in those negotiations to apply provisions of the Convention and the Agreement to their work;

42. *Encourages* States to develop ocean policies and mechanisms on integrated management, including at the subregional and regional levels, and also including assistance to developing States in accomplishing these objectives, as well as by promoting improved cooperation between regional fisheries management organizations and other regional entities, such as the United Nations Environment Programme regional seas programmes and conventions;

IX

Responsible fisheries in the marine ecosystem

43. *Encourages* States to apply by 2010 the ecosystem approach, notes the Reykjavik Declaration on Responsible Fisheries in the Marine Ecosystem[58] and decisions V/6[59] and VI/12[60] of the Conference of the Parties to the Convention on Biological Diversity, encourages States to consider the guidelines of the Food and Agriculture Organization of the United Nations for the implementation of ecosystem considerations in fisheries management, and notes the importance to this approach of relevant provisions of the Agreement and the Code;

44. *Calls upon* the Food and Agriculture Organization of the United Nations, the United Nations Environment Programme, in particular its Regional Seas programme, the International Maritime Organization, regional and subregional fisheries management organizations and arrangements and other appropriate intergovernmental organizations to take up, as a matter of priority, the issue of marine debris as it relates to fisheries and, where appropriate, to promote better coordination and help States to implement fully relevant international agreements, including annex V to the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto;

45. *Urges* all States to implement the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities[61] and to accelerate activity to safeguard the marine environment against pollution and physical degradation;

46. *Requests* the Secretary-General, in close cooperation with the Food and Agriculture Organization of the United Nations, and in consultation with States, regional and subregional fisheries management organizations and arrangements and other relevant organizations, in his next report concerning fisheries to include a section outlining current risks to the marine biodiversity of vulnerable marine ecosystems including, but not limited to, seamounts, coral reefs, including cold water reefs and certain other sensitive underwater features, related to fishing activities, as well as detailing any conservation and management measures in place at the global, regional, subregional or national levels addressing these issues;

47. *Calls upon* States, the Food and Agriculture Organization of the United Nations and subregional or regional fisheries management organizations and arrangements to implement fully the International Plan of Action for the Conservation and Management of Sharks as a matter of priority,

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[58] E/CN.17/2002/PC.2/3, annex.

[59] See UNEP/CBD/COP/5/23, annex III.

[60] See UNEP/CBD/COP/6/20, annex I.

[61] A/51/116, annex II.

inter alia, by conducting assessments of shark stocks and developing and implementing national plans of action, recognizing the need of some States, in particular developing States, for assistance in this regard;

48. *Urges* States, including those working through subregional or regional fisheries management organizations and arrangements in implementing the International Plan of Action for the Conservation and Management of Sharks, to collect scientific data regarding shark catches and to consider adopting conservation and management measures, particularly where shark catches from directed and non-directed fisheries have a significant impact on vulnerable or threatened shark stocks, in order to ensure the conservation and management of sharks and their long-term sustainable use, including by banning directed shark fisheries conducted solely for the purpose of harvesting shark fins and by taking measures for other fisheries to minimize waste and discards from shark catches, and to encourage the full use of dead sharks;

49. *Urges* all States to cooperate with the Food and Agriculture Organization of the United Nations in order to assist developing States in implementing the International Plan of Action for the Conservation and Management of Sharks, including through voluntary contributions to work of the organization, such as its FishCODE programme;

50. *Invites* the Food and Agriculture Organization of the United Nations, in consultation with relevant subregional or regional fisheries management organizations or arrangements, to prepare a study relating to the impact on shark populations of shark catches from directed and non-directed fisheries and their impact on ecologically related species, taking into account the nutritional and socio-economic considerations as reflected in the International Plan of Action for the Conservation and Management of Sharks, particularly as they relate to small-scale, subsistence and artisanal fisheries and communities, as well as updating Technical Paper 389 of the Food and Agriculture Organization, entitled "Shark utilization, marketing and trade", in order to facilitate improved shark conservation, management and utilization, and to report to the Secretary-General for inclusion in a fisheries-related report as soon as practicable;

X

Capacity-building

51. *Reiterates* the crucial importance of cooperation by States directly or, as appropriate, through the relevant regional and subregional organizations, and by other international organizations, including through financial and/or technical assistance, in accordance with the Agreement, the Compliance Agreement, the Code and the International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing, to increase the capacity of developing States to achieve the goals and implement the actions called for in the present resolution;

52. *Invites* States and relevant intergovernmental organizations to develop projects, programmes and partnerships with relevant stakeholders and mobilize resources for the effective implementation of the outcome of the African Process for the Protection and Development of the Marine and Coastal Environment, and to consider the inclusion of fisheries components in this work;

53. *Also invites* States and relevant intergovernmental organizations to further implement sustainable fisheries management and improve financial returns from fisheries by supporting and strengthening relevant regional fisheries management organizations, as appropriate, such as the Caribbean Regional Fisheries Mechanism and such agreements as the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific;

XI

Cooperation within the United Nations system

54. *Requests* the relevant parts of the United Nations system, international financial institutions and donor agencies to support increased enforcement and compliance capabilities for regional fisheries management organizations and their member States;

55. *Invites* the Food and Agriculture Organization of the United Nations to continue its cooperative arrangements with United Nations agencies on the implementation of the international plans of action and to report to the Secretary-General, for inclusion in his annual report on oceans and the law of the sea, on priorities for cooperation and coordination in this work;

XII

Fifty-ninth session of the General Assembly

56. *Requests* the Secretary-General to bring the present resolution to the attention of all members of the international community, relevant intergovernmental organizations, the organizations and bodies of the United Nations system, regional and subregional fisheries management organizations and relevant non-governmental organizations, and to invite them to provide the Secretary-General with information relevant to the implementation of the present resolution;

57. *Also requests* the Secretary-General to submit to the General Assembly at its fifty-ninth session a report on "Sustainable fisheries, including through the 1995 Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, and related instruments", taking into account information provided by States, relevant specialized agencies, in particular the Food and

Agriculture Organization of the United Nations, and other appropriate organs, organizations and programmes of the United Nations system, regional and subregional organizations and arrangements for the conservation and management of straddling fish stocks and highly migratory fish stocks, as well as other relevant intergovernmental bodies and non-governmental organizations, and consisting, inter alia, of elements provided in relevant paragraphs in the present resolution;

58. *Decides* to include in the provisional agenda of its fifty-ninth session, under the item entitled "Oceans and the law of the sea", a sub-item entitled "Sustainable fisheries, including through the 1995 Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, and related instruments".

RESOLUTION 58/16

Adopted at the 68th plenary meeting, on 3 December 2003, without a vote, on the basis of draft resolution A/58/L.7/Rev.1 and Add.1, sponsored by: Armenia, Australia, Azerbaijan, Belarus, Brazil, China, Egypt, Georgia, India, Japan, Kazakhstan, Kyrgyzstan, Republic of Moldova, Russian Federation, South Africa, Thailand, Ukraine

58/16. Responding to global threats and challenges

The General Assembly,

Recalling its resolutions 55/162 of 14 December 2000, 56/95 of 14 December 2001 and 57/144 of 16 December 2002 on the follow-up to the outcome of the Millennium Summit, and its resolution 57/145 of 16 December 2002,

Guided by the purposes and principles of the Charter of the United Nations,

Reaffirming the coordinating and leading role of the United Nations in establishing a cohesive and effective system for responding to global threats and challenges, and welcoming the ongoing efforts of Member States and the Secretary-General to this end,

Recognizing the importance, in the context of implementing the United Nations Millennium Declaration,[62] of a comprehensive approach aimed at addressing global threats and challenges in accordance with the Charter, international law and relevant international instruments,

Welcoming the report of the Secretary-General on the implementation of the Millennium Declaration[63] and the observations contained therein on ways and means to promote further, with the United Nations lead, a more comprehensive and coherent response to the global threats and challenges of the twenty-first century,

Taking note of the letter dated 3 November 2003 from the Secretary-General to the President of the General Assembly regarding the establishment of the High-Level Panel on Threats, Challenges and Change,[64]

1. *Commends* the increased interaction of Member States, the agencies and organizations of the United Nations system and the international and regional organizations cooperating with the United Nations, aimed at countering various global threats and challenges, in particular those posed by international terrorism in all its forms and manifestations, transnational organized crime, regional conflicts, poverty, unsustainable development, illicit drug trafficking, money-laundering, infectious diseases, environmental degradation, natural disasters, complex emergency situations and others;

2. *Expresses its appreciation* to Member States and relevant regional and other organizations for submitting to the Secretary-General their contributions on the issues referred to in paragraphs 1 and 2 of resolution 57/145;

3. *Encourages* the United Nations, its Member States, the agencies and organizations of the United Nations system and other international and regional organizations to continue their efforts towards establishing a comprehensive and effective strategy for responding to global threats and challenges;

4. *Welcomes* the establishment by the Secretary-General of the High-Level Panel on Threats, Challenges and Change to make recommendations for the elements of a collective action, and expresses its readiness to consider as a matter of priority at its fifty-ninth session the recommendations of the Secretary-General thereon.

RESOLUTION 58/17

Adopted at the 68th plenary meeting, on 3 December 2003, without a vote, on the basis of draft resolution A/58/L.20 and Add.1, sponsored by: Afghanistan, Albania, Algeria, Argentina, Armenia, Australia, Azerbaijan, Belarus, Benin, Bolivia, Bosnia and Herzegovina, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, China, Colombia, Congo, Costa Rica, Croatia, Cyprus, Czech Republic, Democratic Republic of the Congo, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Finland, Gambia, Georgia, Germany, Ghana, Greece, Guatemala, Hungary, Iceland, India, Indonesia, Italy, Lebanon, Madagascar, Mauritania, Mongolia, Nepal, Niger, Pakistan, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Serbia and Montenegro, Suriname, Switzerland, the former Yugoslav Republic of Macedonia, Togo, Tonga, Tunisia, Ukraine, United States of America

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[62] See resolution 55/2.

[63] A/58/323.

[64] A/58/612.

58/17. Return or restitution of cultural property to the countries of origin

The General Assembly,

Reaffirming the relevant provisions of the Charter of the United Nations,

Recalling its resolutions 3026 A (XXVII) of 18 December 1972, 3148 (XXVIII) of 14 December 1973, 3187 (XXVIII) of 18 December 1973, 3391 (XXX) of 19 November 1975, 31/40 of 30 November 1976, 32/18 of 11 November 1977, 33/50 of 14 December 1978, 34/64 of 29 November 1979, 35/127 and 35/128 of 11 December 1980, 36/64 of 27 November 1981, 38/34 of 25 November 1983, 40/19 of 21 November 1985, 42/7 of 22 October 1987, 44/18 of 6 November 1989, 46/10 of 22 October 1991, 48/15 of 2 November 1993, 50/56 of 11 December 1995, 52/24 of 25 November 1997, 54/190 of 17 December 1999 and 56/97 of 14 December 2001,

Recalling also its resolution 56/8 of 21 November 2001, in which it proclaimed 2002 the United Nations Year for Cultural Heritage,

Recalling further the Convention for the Protection of Cultural Property in the Event of Armed Conflict, adopted at The Hague on 14 May 1954,[65] and the two Protocols thereto, adopted in 1954 and 1999,

Recalling the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, adopted on 14 November 1970 by the General Conference of the United Nations Educational, Scientific and Cultural Organization,[66]

Recalling also the Convention concerning the Protection of the World Cultural and Natural Heritage, adopted on 16 November 1972 by the General Conference of the United Nations Educational, Scientific and Cultural Organization,[67]

Recalling further the Convention on Stolen or Illegally Exported Cultural Objects, adopted in Rome on 24 June 1995 by the International Institute for the Unification of Private Law,[68]

Taking note of the adoption of the Convention on the Protection of the Underwater Cultural Heritage by the General Conference of the United Nations Educational, Scientific and Cultural Organization on 2 November 2001,[69]

Recalling the Medellin Declaration for Cultural Diversity and Tolerance and the Plan of Action on Cultural Cooperation, adopted at the first Meeting of the Ministers of Culture of the Movement of Non-Aligned Countries, held in Medellin, Colombia, on 4 and 5 September 1997,[70]

Noting the adoption of the Universal Declaration on Cultural Diversity and the Action Plan for its implementation, adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization on 2 November 2001,[69]

Welcoming the report of the Secretary-General submitted in cooperation with the Director-General of the United Nations Educational, Scientific and Cultural Organization,[71]

Aware of the importance attached by some countries of origin to the return of cultural property that is of fundamental spiritual and cultural value to them, so that they may constitute collections representative of their cultural heritage,

Expressing concern about the illicit traffic in cultural property and its damage to the cultural heritage of nations,

Expressing concern also about the loss, destruction, removal, theft, pillage, illicit movement or misappropriation of and any acts of vandalism or damage directed against cultural property, in particular in areas of armed conflict, including territories that are occupied, whether such conflicts are international or internal,

Recalling Security Council resolution 1483 (2003), adopted on 22 May 2003, in particular paragraph 7 relating to the restitution of the cultural property of Iraq,

1. *Commends* the United Nations Educational, Scientific and Cultural Organization and the Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in Case of Illicit Appropriation on the work they have accomplished, in particular through the promotion of bilateral negotiations, for the return or restitution of cultural property, the preparation of inventories of movable cultural property and the implementation of the Object-ID standard related thereto, as well as for the reduction of illicit traffic in cultural property and the dissemination of information to the public;

2. *Calls upon* all relevant bodies, agencies, funds and programmes of the United Nations system and other relevant intergovernmental organizations to work in coordination with the United Nations Educational, Scientific and Cultural Organization, within their mandates and in cooperation with Member States, in order to continue to address the issue of

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[65] United Nations, *Treaty Series*, vol. 249, No. 3511.

[66] See United Nations Educational, Scientific and Cultural Organization, *Records of the General Conference, Sixteenth Session, Paris, 12 October–14 November 1970*, vol. 1: *Resolutions*.

[67] United Nations, *Treaty Series*, vol. 1037, No. 15511.

[68] Available from www.unidroit.org.

[69] See United Nations Educational, Scientific and Cultural Organization, *Records of the General Conference, Thirty-first Session, Paris, 15 October–3 November 2001*, vol. 1: *Resolutions*.

[70] A/52/432, annex I.

[71] See A/58/314.

return or restitution of cultural property to the countries of origin and to provide appropriate support accordingly;

3. *Welcomes* the adoption of the Declaration concerning the Intentional Destruction of Cultural Heritage, adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization on 17 October 2003;

4. *Reaffirms* the importance of the principles and provisions of the Convention for the Protection of Cultural Property in the Event of Armed Conflict,[65] and invites Member States that have not already done so to become parties to the Convention and to promote its implementation;

5. *Also reaffirms* the importance of the Second Protocol to the Convention, adopted at The Hague on 26 March 1999, and invites all States Parties to the Convention to consider becoming parties to the Second Protocol;

6. *Welcomes* the most recent efforts made by the United Nations Educational, Scientific and Cultural Organization for the protection of the cultural heritage of countries in conflict, including the safe return to those countries of cultural property and other items of archaeological, historical, cultural, rare scientific and religious importance that have been illegally removed, and calls upon the international community to contribute to these efforts;

7. *Invites* Member States to consider adopting and implementing the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property;[66]

8. *Urges* Member States to introduce effective national and international measures to prevent and combat illicit trafficking in cultural property, including special training for police, customs and border services;

9. *Reaffirms* the importance of the provisions of the Convention on Stolen or Illegally Exported Cultural Objects of the International Institute for the Unification of Private Law,[68] and invites Member States that have not already done so to consider becoming parties to it;

10. *Invites* Member States, in cooperation with the United Nations Educational, Scientific and Cultural Organization, to continue to draw up systematic inventories of their cultural property, as well as to work towards the creation of a database of the cultural legislation of Member States, in particular in an electronic form;

11. *Reaffirms* the efforts of the United Nations Educational, Scientific and Cultural Organization to promote the use of identification systems, in particular the application of the Object-ID standard, and to encourage the linking of identification systems and existing databases, including the one developed by the International Criminal Police Organization-Interpol, to allow for the electronic transmission of information in order to reduce illicit trafficking in cultural property, and encourages the United Nations Educational, Scientific and Cultural Organization to make further efforts in this regard in cooperation with Member States, where appropriate;

12. *Recognizes* the public awareness and increased mobilization and action in favour of heritage values that was achieved in 2002, the United Nations Year for Cultural Heritage, and calls upon the international community and the United Nations to continue to cooperate with the United Nations Educational, Scientific and Cultural Organization on the basis of that work;

13. *Welcomes* the adoption of the International Code of Ethics for Dealers in Cultural Property by the General Conference of the United Nations Educational, Scientific and Cultural Organization on 16 November 1999,[72] and invites those who deal with trade in cultural property and their associations, where they exist, to encourage the implementation of the Code;

14. *Recognizes* the importance of the creation, by the General Conference of the United Nations Educational, Scientific and Cultural Organization, of the International Fund for the Return of Cultural Property to its Countries of Origin or its Restitution in Case of Illicit Appropriation, launched in November 2000, and encourages the United Nations Educational, Scientific and Cultural Organization to promote the Fund and render it operational;

15. *Requests* the Secretary-General to cooperate with the United Nations Educational, Scientific and Cultural Organization in its efforts to bring about the attainment of the objectives of the present resolution;

16. *Also requests* the Secretary-General, in cooperation with the Director-General of the United Nations Educational, Scientific and Cultural Organization, to submit to the General Assembly at its sixtieth session a report on the implementation of the present resolution;

17. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "Return or restitution of cultural property to the countries of origin".

RESOLUTION 58/18

Adopted at the 68th plenary meeting, on 3 December 2003, by a recorded vote of 97 to 7, with 60 abstentions,* on the basis of draft resolution A/58/L.23 and Add.1, sponsored by: Algeria, Bahrain, Bangladesh, Brunei Darussalam, Comoros, Cuba, Djibouti, Egypt, Indonesia, Jordan, Kuwait, Lao People's Democratic Republic, Malaysia, Mali, Malta, Mauritania, Morocco, Namibia, Oman, Qatar, Saudi Arabia, Senegal, Somalia, South Africa, Sudan, Togo, Tunisia, United Arab Emirates, Yemen, Palestine

* *In favour:* Afghanistan, Algeria, Antigua and Barbuda, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Bolivia, Botswana,

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[72] See United Nations Educational, Scientific and Cultural Organization, *Records of the General Conference, Thirtieth Session, Paris, 26 October–17 November 1999*, vol. 1: *Resolutions*.

Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Djibouti, Ecuador, Egypt, Eritrea, Ethiopia, Fiji, Gabon, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Morocco, Mozambique, Myanmar, Namibia, Nepal, Niger, Nigeria, Oman, Pakistan, Panama, Paraguay, Philippines, Qatar, Saint Lucia, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: Australia, Israel, Marshall Islands, Micronesia (Federated States of), Nauru, Palau, United States of America

Abstaining: Albania, Andorra, Argentina, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Costa Rica, Croatia, Czech Republic, Denmark, Dominican Republic, El Salvador, Estonia, Finland, France, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Italy, Japan, Kazakhstan, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Monaco, Netherlands, New Zealand, Nicaragua, Norway, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Samoa, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, Switzerland, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Tonga, United Kingdom of Great Britain and Northern Ireland, Uruguay, Uzbekistan

58/18. Committee on the Exercise of the Inalienable Rights of the Palestinian People

The General Assembly,

Recalling its resolutions 181 (II) of 29 November 1947, 194 (III) of 11 December 1948, 3236 (XXIX) of 22 November 1974, 3375 (XXX) and 3376 (XXX) of 10 November 1975, 31/20 of 24 November 1976 and all subsequent relevant resolutions, including those adopted by the General Assembly at its emergency special sessions and resolution 57/107 of 3 December 2002,

Having considered the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People,[73]

Recalling the mutual recognition between the Government of the State of Israel and the Palestine Liberation Organization, the representative of the Palestinian people, as well as the existing agreements between the two sides and the need for full compliance with those agreements,

Welcoming the official presentation by the Quartet of the performance-based road map to a permanent two-State solution to the Israeli-Palestinian conflict,[74]

Reaffirming that the United Nations has a permanent responsibility towards the question of Palestine until the question is resolved in all its aspects in a satisfactory manner in accordance with international legitimacy,

1. *Expresses its appreciation* to the Committee on the Exercise of the Inalienable Rights of the Palestinian People for its efforts in performing the tasks assigned to it by the General Assembly, and takes note of its annual report,[73] including the conclusions and recommendations contained in chapter VII thereof;

2. *Requests* the Committee to continue to exert all efforts to promote the realization of the inalienable rights of the Palestinian people, to support the Middle East peace process and to mobilize international support for and assistance to the Palestinian people, and authorizes the Committee to make such adjustments in its approved programme of work as it may consider appropriate and necessary in the light of developments and to report thereon to the General Assembly at its fifty-ninth session and thereafter;

3. *Also requests* the Committee to continue to keep under review the situation relating to the question of Palestine and to report and make suggestions to the General Assembly, the Security Council or the Secretary-General, as appropriate;

4. *Further requests* the Committee to continue to extend its cooperation and support to Palestinian and other civil society organizations in order to mobilize international solidarity and support for the achievement by the Palestinian people of its inalienable rights and for a peaceful settlement of the question of Palestine, and to involve additional civil society organizations in its work;

5. *Requests* the United Nations Conciliation Commission for Palestine, established under General Assembly resolution 194 (III), and other United Nations bodies and entities working on various aspects of the question of Palestine to continue to cooperate fully with the Committee and to make available to it, at its request, the relevant information and documentation which they have at their disposal;

6. *Invites* all Governments and organizations to extend their cooperation to the Committee in the performance of its tasks;

7. *Requests* the Secretary-General to circulate the report of the Committee to all competent bodies of the United Nations, and urges them to take the necessary action, as appropriate;

8. *Also requests* the Secretary-General to continue to provide the Committee with all necessary facilities for the performance of its tasks.

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[73] *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 35* (A/58/35).

[74] S/2003/529, annex.

RESOLUTION 58/19

Adopted at the 68th plenary meeting, on 3 December 2003, by a recorded vote of 98 to 6, with 63 abstentions,* on the basis of draft resolution A/58/L.24 and Add.1, sponsored by: Algeria, Bahrain, Bangladesh, Brunei Darussalam, Comoros, Cuba, Djibouti, Egypt, Indonesia, Jordan, Kuwait, Lao People's Democratic Republic, Malaysia, Mali, Malta, Mauritania, Morocco, Namibia, Oman, Qatar, Saudi Arabia, Senegal, Somalia, South Africa, Sudan, Tunisia, United Arab Emirates, Yemen, Palestine

* *In favour:* Afghanistan, Algeria, Antigua and Barbuda, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Djibouti, Ecuador, Egypt, Eritrea, Ethiopia, Gabon, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Morocco, Mozambique, Myanmar, Namibia, Nepal, Niger, Nigeria, Oman, Pakistan, Panama, Paraguay, Philippines, Qatar, Saint Lucia, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: Israel, Marshall Islands, Micronesia (Federated States of), Nauru, Palau, United States of America

Abstaining: Albania, Andorra, Argentina, Armenia, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Costa Rica, Croatia, Czech Republic, Denmark, Dominican Republic, El Salvador, Estonia, Fiji, Finland, France, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Italy, Japan, Kazakhstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malawi, Monaco, Netherlands, New Zealand, Nicaragua, Norway, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Samoa, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, Switzerland, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Tonga, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uzbekistan

58/19. Division for Palestinian Rights of the Secretariat

The General Assembly,

Having considered the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People,[75]

Taking note in particular of the relevant information contained in chapter V.B of that report,

Recalling its resolution 32/40 B of 2 December 1977 and all subsequent relevant resolutions, including resolution 57/108 of 3 December 2002,

1. *Notes with appreciation* the action taken by the Secretary-General in compliance with its resolution 57/108;

2. *Considers* that the Division for Palestinian Rights of the Secretariat continues to make a useful and constructive contribution;

3. *Requests* the Secretary-General to continue to provide the Division with the necessary resources and to ensure that it continues to carry out its work as detailed in the relevant earlier resolutions, in consultation with the Committee on the Exercise of the Inalienable Rights of the Palestinian People and under its guidance, including, in particular, the organization of meetings and conferences in various regions with the participation of all sectors of the international community, the further development and expansion of the documents collection of the United Nations Information System on the Question of Palestine, the preparation and widest possible dissemination of publications and information materials on various aspects of the question of Palestine and the provision of the annual training programme for staff of the Palestinian Authority;

4. *Also requests* the Secretary-General to ensure the continued cooperation of the Department of Public Information and other units of the Secretariat in enabling the Division to perform its tasks and in covering adequately the various aspects of the question of Palestine;

5. *Invites* all Governments and organizations to extend their cooperation to the Division in the performance of its tasks;

6. *Requests* the Committee and the Division, as part of the observance of the International Day of Solidarity with the Palestinian People on 29 November, to continue to organize an annual exhibit on Palestinian rights in cooperation with the Permanent Observer Mission of Palestine to the United Nations, and encourages Member States to continue to give the widest support and publicity to the observance of the Day of Solidarity.

RESOLUTION 58/20

Adopted at the 68th plenary meeting, on 3 December 2003, by a recorded vote of 159 to 6, with 6 abstentions,* on the basis of draft resolution A/58/L.25 and Add.1, sponsored by: Algeria, Bahrain, Bangladesh, Brunei Darussalam, Comoros, Cuba, Djibouti, Egypt, Indonesia, Jordan, Kuwait, Lao People's Democratic Republic, Malaysia, Mali, Malta, Mauritania, Morocco, Namibia, Oman, Qatar, Saudi Arabia, Senegal, Somalia, South Africa, Sudan, Tunisia, United Arab Emirates, Yemen, Palestine

* *In favour:* Afghanistan, Albania, Algeria, Andorra, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg,

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[75] *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 35* (A/58/35).

Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: Israel, Marshall Islands, Micronesia (Federated States of), Nauru, Palau, United States of America

Abstaining: Australia, Honduras, Rwanda, Tonga, Uganda, Uzbekistan

58/20. Special information programme on the question of Palestine of the Department of Public Information of the Secretariat

The General Assembly,

Having considered the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People,[76]

Taking note in particular of the information contained in chapter VI of that report,

Recalling its resolution 57/109 of 3 December 2002,

Convinced that the worldwide dissemination of accurate and comprehensive information and the role of civil society organizations and institutions remain of vital importance in heightening awareness of and support for the inalienable rights of the Palestinian people,

Recalling the mutual recognition between the Government of the State of Israel and the Palestine Liberation Organization, the representative of the Palestinian people, as well as the existing agreements concluded between the two sides and the need for full compliance with those agreements,

Welcoming the official presentation by the Quartet of the road map to a permanent two-State solution to the Israeli-Palestinian conflict,[77]

1. *Notes with appreciation* the action taken by the Department of Public Information of the Secretariat in compliance with resolution 56/35 of 3 December 2001;

2. *Considers* that the special information programme on the question of Palestine of the Department is very useful in raising the awareness of the international community concerning the question of Palestine and the situation in the Middle East and that the programme is contributing effectively to an atmosphere conducive to dialogue and supportive of the peace process;

3. *Requests* the Department, in full cooperation and coordination with the Committee on the Exercise of the Inalienable Rights of the Palestinian People, to continue, with the necessary flexibility as may be required by developments affecting the question of Palestine, its special information programme for the biennium 2004–2005, in particular:

(*a*) To disseminate information on all the activities of the United Nations system relating to the question of Palestine, including reports on the work carried out by the relevant United Nations entities;

(*b*) To continue to issue and update publications on the various aspects of the question of Palestine in all fields, including materials concerning the recent developments in that regard, in particular the prospects for peace;

(*c*) To expand its collection of audio-visual material on the question of Palestine and to continue the production and preservation of such material and the updating of the exhibit in the Secretariat;

(*d*) To organize and promote fact-finding news missions for journalists to the area, including the territory under the jurisdiction of the Palestinian Authority and the Occupied Territory;

(*e*) To organize international, regional and national seminars or encounters for journalists, aiming in particular at sensitizing public opinion to the question of Palestine;

(*f*) To continue to provide assistance to the Palestinian people in the field of media development, in particular to strengthen the training programme for Palestinian broadcasters and journalists initiated in 1995.

RESOLUTION 58/21

Adopted at the 68th plenary meeting, on 3 December 2003, by a recorded vote of 160 to 6, with 5 abstentions,* on the basis of draft resolution A/58/L.26/Rev.1 and Add.1, sponsored by: Algeria, Bahrain, Bangladesh, Brunei Darussalam, Comoros, Cuba, Djibouti, Egypt, Indonesia, Jordan, Kuwait, Lao People's Democratic Republic, Malaysia, Mali, Malta, Mauritania, Morocco, Namibia, Oman, Qatar, Saudi Arabia, Senegal, Somalia, South Africa, Sudan, Togo, Tunisia, United Arab Emirates, Yemen, Palestine

* *In favour:* Afghanistan, Albania, Algeria, Andorra, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya,

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[76] Ibid.

[77] S/2003/529, annex.

Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: Israel, Marshall Islands, Micronesia (Federated States of), Palau, Uganda, United States of America

Abstaining: Australia, Honduras, Nauru, Rwanda, Tonga

58/21. Peaceful settlement of the question of Palestine

The General Assembly,

Recalling its relevant resolutions, including those adopted at the tenth emergency special session,

Recalling also the relevant Security Council resolutions, including resolutions 242 (1967) of 22 November 1967, 338 (1973) of 22 October 1973, 1397 (2002) of 12 March 2002 and 1515 (2003) of 19 November 2003,

Welcoming the affirmation by the Security Council of the vision of a region where two States, Israel and Palestine, live side by side within secure and recognized borders,

Noting that it has been fifty-six years since the adoption of resolution 181 (II) of 29 November 1947 and thirty-six years since the occupation of Palestinian territory, including East Jerusalem, in 1967,

Having considered the report of the Secretary-General submitted pursuant to the request made in its resolution 57/110 of 3 December 2002,[78]

Reaffirming the permanent responsibility of the United Nations with regard to the question of Palestine until the question is resolved in all its aspects,

Convinced that achieving a final and peaceful settlement of the question of Palestine, the core of the Arab-Israeli conflict, is imperative for the attainment of a comprehensive and lasting peace and stability in the Middle East,

Aware that the principle of equal rights and self-determination of peoples is among the purposes and principles enshrined in the Charter of the United Nations,

Affirming the principle of the inadmissibility of the acquisition of territory by war,

Reaffirming the illegality of the Israeli settlements in the territory occupied since 1967 and of Israeli actions aimed at changing the status of Jerusalem, and affirming that the construction by Israel of a wall inside the Occupied Palestinian Territory, including in and around East Jerusalem, is in contravention of relevant provisions of international law,

Affirming once again the right of all States in the region to live in peace within secure and internationally recognized borders,

Recalling the mutual recognition between the Government of the State of Israel and the Palestine Liberation Organization, the representative of the Palestinian people,[79] and the existing agreements concluded between the two sides, and the need for full compliance with those agreements,

Welcoming the endorsement by the Security Council, in resolution 1515 (2003), of the Quartet performance-based road map to a permanent two-State solution to the Israeli-Palestinian conflict,[80] and stressing the need for its implementation and compliance with its provisions,

Noting with satisfaction the establishment of the Palestinian Authority, and recognizing the urgent need to rebuild, reform and strengthen its damaged institutions,

Welcoming the positive contribution of the United Nations Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General to the Palestine Liberation Organization and the Palestinian Authority to the peace process, including in the framework of the activities of the Quartet,

Welcoming also the convening of international donor meetings, as well as the establishment of international mechanisms to provide assistance to the Palestinian people,

Expressing its grave concern over the tragic events in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000 and the continued deterioration of the situation, including the rising number of deaths and injuries, mostly among Palestinian civilians, the deepening humanitarian crisis facing the Palestinian people and the widespread destruction of Palestinian property and infrastructure, both private and public, including many institutions of the Palestinian Authority,

Expressing its grave concern also over the repeated incursions into Palestinian-controlled areas and the reoccupation of many Palestinian population centres by the Israeli occupying forces,

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[78] A/58/416-S/2003/947.

[79] See A/48/486-S/26560, annex.

[80] S/2003/529, annex.

Emphasizing the importance of the safety and well-being of all civilians in the whole Middle East region, and condemning all acts of violence and terror against civilians on both sides, including the suicide bombings and extrajudicial executions,

Gravely concerned over the increased suffering and casualties on both the Palestinian and Israeli sides, the loss of confidence on both sides and the dire situation facing the Middle East peace process,

Aware of the urgent need for revitalized and active international involvement to support both parties in overcoming the current dangerous impasse in the peace process,

Affirming the urgent need for the parties to cooperate with all international efforts, including the efforts of the Quartet, to end the current tragic situation and to resume negotiations towards a final peace settlement,

Welcoming recent initiatives and efforts undertaken by civil society in pursuit of a peaceful settlement of the question of Palestine,

1. *Reaffirms* the necessity of achieving a peaceful settlement of the question of Palestine, the core of the Arab-Israeli conflict, in all its aspects and of intensifying all efforts towards that end;

2. *Also reaffirms* its full support for the Middle East peace process, which began in Madrid, and the existing agreements between the Israeli and Palestinian sides, stresses the necessity for the establishment of a comprehensive, just and lasting peace in the Middle East, and welcomes in this regard the efforts of the Quartet;

3. *Welcomes* the Arab Peace Initiative adopted by the Council of the League of Arab States at its fourteenth session, held in Beirut on 27 and 28 March 2002;[81]

4. *Calls upon* both parties to fulfil their obligations in implementation of the road map[80] by taking parallel and reciprocal steps in this regard, and stresses the importance and urgency of establishing a credible and effective third-party monitoring mechanism including all members of the Quartet;

5. *Stresses* the necessity for a commitment to the vision of the two-State solution and the principle of land for peace, and the implementation of Security Council resolutions 242 (1967), 338 (1973), 1397 (2002) and 1515 (2003);

6. *Also stresses* the need for a speedy end to the reoccupation of Palestinian population centres and for the complete cessation of all acts of violence, including military attacks, destruction and acts of terror;

7. *Calls upon* the concerned parties, the Quartet and other interested parties to exert all efforts and undertake initiatives necessary to halt the deterioration of the situation and to reverse all measures taken on the ground since 28 September 2000, and to ensure a successful and speedy resumption of the peace process and the conclusion of a final peaceful settlement;

8. *Stresses* the need for:

(*a*) The withdrawal of Israel from the Palestinian territory occupied since 1967;

(*b*) The realization of the inalienable rights of the Palestinian people, primarily the right to self-determination and the right to their independent State;

9. *Also stresses* the need for resolving the problem of the Palestine refugees in conformity with its resolution 194 (III) of 11 December 1948;

10. *Urges* Member States to expedite the provision of economic, humanitarian and technical assistance to the Palestinian people and the Palestinian Authority during this critical period to help to alleviate the suffering of the Palestinian people, rebuild the Palestinian economy and infrastructure and support the restructuring and reform of Palestinian institutions;

11. *Requests* the Secretary-General to continue his efforts with the parties concerned, and in consultation with the Security Council, towards the attainment of a peaceful settlement of the question of Palestine and the promotion of peace in the region and to submit to the General Assembly at its fifty-ninth session a report on these efforts and on developments on this matter.

RESOLUTION 58/22

Adopted at the 68th plenary meeting, on 3 December 2003, by a recorded vote of 155 to 8, with 7 abstentions,* on the basis of draft resolution A/58/L.27 and Add.1, sponsored by: Algeria, Bahrain, Bangladesh, Brunei Darussalam, Comoros, Cuba, Djibouti, Egypt, Indonesia, Jordan, Kuwait, Malaysia, Mauritania, Morocco, Oman, Qatar, Saudi Arabia, Senegal, Somalia, South Africa, Sudan, Togo, Tunisia, United Arab Emirates, Yemen, Palestine

* *In favour:* Afghanistan, Algeria, Andorra, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay,

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[81] A/56/1026-S/2002/932, annex II, resolution 14/221.

Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: Costa Rica, Israel, Marshall Islands, Micronesia (Federated States of), Nauru, Palau, Uganda, United States of America

Abstaining: El Salvador, Guatemala, Honduras, Nicaragua, Rwanda, Solomon Islands, Tonga

58/22. Jerusalem

The General Assembly,

Recalling its resolution 181 (II) of 29 November 1947, in particular its provisions regarding the City of Jerusalem,

Recalling also its resolution 36/120 E of 10 December 1981 and all subsequent resolutions, including resolution 56/31 of 3 December 2001, in which it, inter alia, determined that all legislative and administrative measures and actions taken by Israel, the occupying Power, which have altered or purported to alter the character and status of the Holy City of Jerusalem, in particular the so-called "Basic Law" on Jerusalem and the proclamation of Jerusalem as the capital of Israel, were null and void and must be rescinded forthwith,

Recalling further Security Council resolutions relevant to Jerusalem, including resolution 478 (1980) of 20 August 1980, in which the Council, inter alia, decided not to recognize the "Basic Law" and called upon those States which had established diplomatic missions in Jerusalem to withdraw such missions from the Holy City,

Expressing its grave concern at any action taken by any body, governmental or non-governmental, in violation of the above-mentioned resolutions,

Reaffirming that the international community, through the United Nations, has a legitimate interest in the question of the City of Jerusalem and the protection of the unique spiritual, religious and cultural dimension of the city, as foreseen in relevant United Nations resolutions on this matter,

Having considered the report of the Secretary-General,[82]

1. *Reiterates its determination* that any actions taken by Israel to impose its laws, jurisdiction and administration on the Holy City of Jerusalem are illegal and therefore null and void and have no validity whatsoever;

2. *Deplores* the transfer by some States of their diplomatic missions to Jerusalem in violation of Security Council resolution 478 (1980), and calls once more upon those States to abide by the provisions of the relevant United Nations resolutions, in conformity with the Charter of the United Nations;

3. *Stresses* that a comprehensive, just and lasting solution to the question of the City of Jerusalem should take into account the legitimate concerns of both the Palestinian and Israeli sides and should include internationally guaranteed provisions to ensure the freedom of religion and of conscience of its inhabitants, as well as permanent, free and unhindered access to the holy places by the people of all religions and nationalities;

4. *Requests* the Secretary-General to report to the General Assembly at its fifty-ninth session on the implementation of the present resolution.

RESOLUTION 58/23

Adopted at the 68th plenary meeting, on 3 December 2003, by a recorded vote of 104 to 5, with 61 abstentions,* on the basis of draft resolution A/58/L.28 and Add.1, sponsored by: Algeria, Bahrain, Bangladesh, Brunei Darussalam, Comoros, Cuba, Djibouti, Egypt, Indonesia, Jordan, Kuwait, Lebanon, Malaysia, Mauritania, Morocco, Namibia, Oman, Qatar, Saudi Arabia, Senegal, Somalia, South Africa, Sudan, Syrian Arab Republic, Togo, Tunisia, United Arab Emirates, Yemen, Palestine

* *In favour*: Afghanistan, Algeria, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cape Verde, Chile, China, Colombia, Comoros, Congo, Côte d'Ivoire, Cuba, Cyprus, Djibouti, Ecuador, Egypt, Eritrea, Ethiopia, Fiji, Gabon, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Niger, Nigeria, Oman, Pakistan, Panama, Paraguay, Philippines, Qatar, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, United Arab Emirates, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: Israel, Marshall Islands, Micronesia (Federated States of), Palau, United States of America

Abstaining: Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Costa Rica, Croatia, Czech Republic, Denmark, Dominican Republic, El Salvador, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Italy, Japan, Kazakhstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Nauru, Netherlands, New Zealand, Nicaragua, Norway, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Rwanda, Samoa, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Tonga, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay

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[82] A/58/278

58/23. The Syrian Golan

The General Assembly,

Having considered the item entitled "The situation in the Middle East",

Taking note of the report of the Secretary-General,[83]

Recalling Security Council resolution 497 (1981) of 17 December 1981,

Reaffirming the fundamental principle of the inadmissibility of the acquisition of territory by force, in accordance with international law and the Charter of the United Nations,

Reaffirming once more the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[84] to the occupied Syrian Golan,

Deeply concerned that Israel has not withdrawn from the Syrian Golan, which has been under occupation since 1967, contrary to the relevant Security Council and General Assembly resolutions,

Stressing the illegality of the Israeli settlement construction and other activities in the occupied Syrian Golan since 1967,

Noting with satisfaction the convening in Madrid on 30 October 1991 of the Peace Conference on the Middle East, on the basis of Security Council resolutions 242 (1967) of 22 November 1967, 338 (1973) of 22 October 1973 and 425 (1978) of 19 March 1978 and the formula of land for peace,

Expressing grave concern over the halt in the peace process on the Syrian track, and expressing the hope that peace talks will soon resume from the point they had reached,

1. *Declares* that Israel has failed so far to comply with Security Council resolution 497 (1981);

2. *Also declares* that the Israeli decision of 14 December 1981 to impose its laws, jurisdiction and administration on the occupied Syrian Golan is null and void and has no validity whatsoever, as confirmed by the Security Council in its resolution 497 (1981), and calls upon Israel to rescind it;

3. *Reaffirms its determination* that all relevant provisions of the Regulations annexed to the Hague Convention of 1907,[85] and the Geneva Convention relative to the Protection of Civilian Persons in Time of War,[84] continue to apply to the Syrian territory occupied by Israel since 1967, and calls upon the parties thereto to respect and ensure respect for their obligations under those instruments in all circumstances;

4. *Determines once more* that the continued occupation of the Syrian Golan and its de facto annexation constitute a stumbling block in the way of achieving a just, comprehensive and lasting peace in the region;

5. *Calls upon* Israel to resume the talks on the Syrian and Lebanese tracks and to respect the commitments and undertakings reached during the previous talks;

6. *Demands once more* that Israel withdraw from all the occupied Syrian Golan to the line of 4 June 1967 in implementation of the relevant Security Council resolutions;

7. *Calls upon* all the parties concerned, the co-sponsors of the peace process and the entire international community to exert all the necessary efforts to ensure the resumption of the peace process and its success by implementing Security Council resolutions 242 (1967) and 338 (1973);

8. *Requests* the Secretary-General to report to the General Assembly at its fifty-ninth session on the implementation of the present resolution.

RESOLUTION 58/24

Adopted at the 69th plenary meeting, on 5 December 2003, without a vote, on the basis of draft resolution A/58/L.22 and Add.1, sponsored by: Algeria, Angola, Argentina, Armenia, Austria, Azerbaijan, Bangladesh, Benin, Bhutan, Bosnia and Herzegovina, Botswana, Burkina Faso, Burundi, Cameroon, Canada, Cape Verde, Chile, China, Comoros, Congo, Côte d'Ivoire, Cuba, Cyprus, Democratic Republic of the Congo, Denmark, Djibouti, Ecuador, Egypt, Equatorial Guinea, Fiji, Finland, France, Gabon, Gambia, Germany, Ghana, Greece, Guinea, Guinea-Bissau, India, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lesotho, Luxembourg, Madagascar, Malawi, Malaysia, Mali, Mauritania, Morocco, Mozambique, Namibia, Netherlands, Nicaragua, Niger, Nigeria, Poland, Portugal, Rwanda, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Singapore, Slovakia, Somalia, South Africa, Sudan, Swaziland, Sweden, Thailand, Togo, Tunisia, Uganda, Ukraine, United Republic of Tanzania, Yemen, Zambia, Zimbabwe

58/24. Emergency humanitarian assistance to Ethiopia

The General Assembly,

Recalling its resolution 57/149 of 16 December 2002 on emergency humanitarian assistance to Ethiopia,

Noting with concern the recurrent drought that affects Ethiopia, and its consequences,

Recalling the initiatives of the Secretary-General to improve food security, including the appointment of the Special Envoy for the Humanitarian Crisis in the Horn of Africa,

Gravely concerned at the magnitude of the recurrent drought, which affects millions owing to the serious crop failures in drought-prone parts of the country that have weak infrastructures and low development capacities,

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[83] A/58/264.

[84] United Nations, *Treaty Series*, vol. 75, No. 973.

[85] See Carnegie Endowment for International Peace, *The Hague Conventions and Declarations of 1899 and 1907* (New York, Oxford University Press, 1915).

Bearing in mind the joint 2004 appeal of the United Nations and the Government of Ethiopia for emergency assistance for Ethiopia, to respond to the food and non-food requirements of households in need so as to prevent the worsening of the current humanitarian crisis,

Noting with serious concern the significant and persistent humanitarian needs in such areas as health, water and acute malnutrition that still exist in parts of the country,

Noting also with serious concern the dire humanitarian situation and its long-term socio-economic and environmental impacts,

Emphasizing the need to address the crisis, bearing in mind the importance of the transition from relief to development, and acknowledging the underlying structural causes of recurrent drought in Ethiopia,

Recognizing that the main responsibility for improving the humanitarian situation and creating conditions for long-term development lies with the Government of Ethiopia, while bearing in mind the important role played by the international community,

Emphasizing the importance of establishing a strong early warning system in order to predict better and respond as early as possible to disasters and to minimize their consequences,

1. *Takes note* of the report of the Secretary-General;[88]

2. *Welcomes* the coordinated and collaborative efforts of the Government of Ethiopia, agencies, funds and programmes of the United Nations system, the donor community, non-governmental organizations and other entities to avert, through their timely and generous response, a major humanitarian crisis in Ethiopia in 2003;

3. *Calls upon* the international community to respond in a timely manner to the joint 2004 appeal of the United Nations and the Government of Ethiopia for emergency assistance for Ethiopia, covering food and non-food needs, as well as to the urgent needs of programme interventions for 2004, aimed at addressing the underlying causes of food insecurity, and issues of recovery, asset protection and the sustainable development of the affected areas;

4. *Welcomes* the programme prepared by the Coalition for Food Security in Ethiopia, and encourages the international community to support the Coalition in realizing its main objective, namely, breaking the cycle of food aid dependency within the next three to five years, thereby enabling fifteen million vulnerable people to engage in sustainable productive activities;

5. *Also welcomes* the efforts of the Government of Ethiopia, the international community and civil society, including non-governmental organizations, to strengthen mechanisms already in place to respond to such emergency situations, and appreciates their endeavours to increase the availability of food through domestic production and to ensure the access of households in need to food, health and water facilities;

6. *Further welcomes* the initiative taken by the Secretary-General in appointing a Special Envoy for the Humanitarian Crisis in the Horn of Africa, with the objective of mobilizing resources for relief support as well as the sustainable development of the affected areas;

7. *Invites* the Office for the Coordination of Humanitarian Affairs of the Secretariat to continue considering ways to enhance the mobilization of emergency relief assistance to cover the remaining humanitarian needs in Ethiopia;

8. *Calls upon* all development partners to integrate relief efforts with recovery, asset protection and long-term development and to address the underlying structural causes of recurrent drought in Ethiopia in a way that is, inter alia, in line with the poverty reduction strategy paper, including strategies that are aimed at preventing such crises in the future and that improve the resilience of the population;

9. *Encourages* the Government of Ethiopia to further strengthen its efforts to address the underlying structural causes of recurrent threats of drought as part of its overall economic development programme;

10. *Requests* the Secretary-General to report to the General Assembly at its fifty-ninth session on the implementation of the present resolution.

RESOLUTION 58/25

Adopted at the 69th plenary meeting, on 5 December 2003, without a vote, on the basis of draft resolution A/58/L.34 and Add.1, sponsored by: Austria, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Japan, Luxembourg, Mexico, Monaco, Morocco (on behalf of the States Members of the United Nations that are members of the Group of 77 and China), Netherlands, Norway, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, Serbia and Montenegro, Slovakia, Slovenia, Sweden, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America

58/25. International cooperation on humanitarian assistance in the field of natural disasters, from relief to development

The General Assembly,

Reaffirming its resolution 46/182 of 19 December 1991, the annex to which contains the guiding principles for the strengthening of the coordination of emergency humanitarian assistance of the United Nations system, as well as all its

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[88] A/58/224

resolutions on international cooperation on humanitarian assistance in the field of natural disasters, from relief to development, and recalling the resolutions of the humanitarian segments of the substantive sessions of the Economic and Social Council,

Recognizing the importance of the principles of neutrality, humanity and impartiality for the provision of humanitarian assistance,

Emphasizing that the affected State has the primary responsibility in the initiation, organization, coordination and implementation of humanitarian assistance within its territory, and in the facilitation of the work of humanitarian organizations in mitigating the consequences of natural disasters,

Emphasizing also the importance of integrating risk reduction into development planning and post-disaster recovery,

Emphasizing further, in this context, the important role of development organizations in supporting national efforts to mitigate the consequences of natural disasters,

Emphasizing the responsibility of all States to undertake disaster preparedness, response and mitigation efforts in order to minimize the impact of natural disasters, while recognizing the importance of international cooperation in support of the efforts of affected countries which may have limited capacities to fulfil this requirement,

Welcoming the International Strategy for Disaster Reduction,

Stressing that national authorities need to enhance the resilience of populations to disasters through, inter alia, implementation of the International Strategy for Disaster Reduction so as to reduce risks to people, their livelihoods, the social and economic infrastructure and environmental resources,

Taking into account the outcome of the Second International Conference on Early Warning, held in Bonn, Germany, from 16 to 18 October 2003, under the auspices of the United Nations,

Noting the critical role played by local resources, as well as by existing in-country capacities, in natural disaster response,

Recognizing the significant role played by national Red Cross and Red Crescent societies in disaster preparedness and risk reduction, disaster response, rehabilitation and development,

Emphasizing the importance of raising awareness among developing countries of the capacities existing at the national, regional and international levels that could be deployed to assist them,

Emphasizing also the importance of international cooperation in support of the efforts of the affected States in dealing with natural disasters in all their phases, including prevention, preparedness, mitigation and recovery and reconstruction, and of strengthening the response capacity of affected countries,

Welcoming the efforts of Member States, with facilitation by the Office for the Coordination of Humanitarian Affairs of the Secretariat, and in cooperation with the International Search and Rescue Advisory Group, to improve efficiency and effectiveness in the provision of international urban search and rescue assistance, and in this context noting its resolution 57/150 of 16 December 2002 entitled "Strengthening the effectiveness and coordination of international urban search and rescue assistance",

Encouraging, in this regard, efforts aiming at the strengthening of the International Search and Rescue Advisory Group and its regional groups, particularly through the participation in its activities of representatives of a larger number of countries,

Mindful of the effects that shortfalls in resources can have on the preparedness for and response to natural disasters, and underscoring, in this regard, the need to gain a more precise understanding of the impact of levels of funding on natural disaster response,

Underlining the need for further improvement in information and analyses available regarding needs, responses and funding related to natural disasters,

1. *Takes note* of the reports of the Secretary-General entitled "International cooperation on humanitarian assistance in the field of natural disasters, from relief to development"[67] and "Strengthening the coordination of emergency humanitarian assistance of the United Nations";[68]

2. *Expresses its deep concern* at the number and scale of natural disasters and their increasing impact, resulting in massive losses of life and property worldwide, in particular in vulnerable societies lacking adequate capacity to mitigate effectively the long-term negative social, economic and environmental consequences of natural disasters;

3. *Calls upon* all States to adopt, where required, and to continue to implement effectively necessary legislative and other appropriate measures to mitigate the effects of natural disasters, inter alia, by disaster prevention, including appropriate land use and building regulations, as well as disaster preparedness and capacity-building in disaster response and mitigation, and requests the international community to continue to assist developing countries in this regard;

4. *Stresses*, in this context, the importance of strengthening international cooperation, particularly through the effective use of multilateral mechanisms, in the provision of humanitarian assistance through all phases of a disaster, from

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[67] A/58/434.

[68] A/58/89-E/2003/85.

relief and mitigation to development, including the provision of adequate resources;

5. *Also stresses* that humanitarian assistance for natural disasters should be provided in accordance with and with due respect for the guiding principles contained in the annex to resolution 46/182 and should be determined on the basis of the human dimension and needs arising out of the particular natural disasters;

6. *Recognizes* that economic growth and sustainable development contribute to improving the capacity of States to mitigate, respond to and prepare for natural disasters;

7. *Reaffirms* that disaster risk analysis and vulnerability reduction form an integral part of humanitarian assistance, poverty eradication and sustainable development strategies and need to be considered in the development plans of all vulnerable countries and communities, including, where appropriate, in plans relating to the transition from relief to development, and affirms that within such preventive strategies disaster preparedness and early warning systems must be further strengthened at the country and regional levels, inter alia, through better coordination among relevant United Nations bodies and cooperation with Governments of affected countries and regional and other relevant organizations with the aim of maximizing the effectiveness of natural disaster response and reducing the impact of natural disasters, particularly in developing countries;

8. *Emphasizes* the importance of establishing or updating, as appropriate, national disaster preparedness plans, as agreed upon at the twenty-seventh International Conference of the Red Cross and Red Crescent, held in Geneva in 1999;

9. *Also emphasizes* the importance of enhanced international cooperation, including through the United Nations and regional organizations, to assist developing countries in their efforts to build capacities and to predict, prepare for and respond to natural disasters;

10. *Stresses* the need for partnerships among Governments, organizations of the United Nations system, relevant humanitarian organizations and specialized companies to promote training to strengthen preparedness for and response to natural disasters;

11. *Also stresses* the need to promote the access to and transfer of technology related to early warning systems and to mitigation programmes to developing countries affected by natural disasters;

12. *Encourages* the further use of space-based and ground-based remote-sensing technologies for the prevention, mitigation and management of natural disasters, where appropriate;

13. *Also encourages* in such operations the sharing of geographical data, including remotely sensed images and geographic information system and global positioning system data, among Governments, space agencies and relevant international humanitarian organizations, as appropriate, and also notes in that context initiatives such as those undertaken by the International Charter on Space and Major Disasters and the Global Disaster Information Network;

14. *Stresses* that particular international cooperation efforts should be undertaken to enhance and broaden further the utilization of national and local capacities and, where appropriate, regional and subregional capacities of developing countries for disaster preparedness and response, which may be made available in closer proximity to the site of a disaster, more efficiently and at lower cost;

15. *Recognizes*, in this regard, that the United Nations Disaster Assessment and Coordination system continues to be a valuable tool by which disaster management expertise is made available by Member States to respond to the sudden onset of emergencies;

16. *Welcomes* the role of the Office for the Coordination of Humanitarian Affairs of the Secretariat as the focal point within the overall United Nations system for the promotion and coordination of disaster responses among United Nations humanitarian agencies and other humanitarian partners;

17. *Takes note with interest* of the initiatives taken by the Office for the Coordination of Humanitarian Affairs and the United Nations Development Programme for the establishment of regional positions of disaster response advisers and disaster reduction advisers to assist developing countries in capacity-building for disaster prevention, preparedness, mitigation and response in a coordinated and complementary manner;

18. *Encourages* further cooperation between the United Nations system and regional organizations in order to increase the capacity of these organizations to respond to natural disasters;

19. *Encourages* States that have not acceded to or ratified the Tampere Convention on the Provision of Telecommunication Resources for Disaster Mitigation and Relief Operations, adopted at Tampere, Finland, on 18 June 1998, to consider doing so;

20. *Requests* the Secretary-General, in collaboration with relevant organizations and partners, to finalize establishment of, and then update periodically, the Directory of Advanced Technologies for Disaster Response as a new part of the Central Register of Disaster Management Capacities;[89]

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[89] Available from www.reliefweb.int/ocha_ol/programs/response/register.html

21. *Encourages* donors to consider the importance of ensuring that assistance in the case of higher-profile natural disasters does not come at the expense of those that may have a relatively lower profile, bearing in mind that the allocation of resources should be driven by needs, as well as the importance of making efforts to increase the level of assistance for disaster reduction and preparedness programmes and for disaster response and mitigation activities;

22. *Requests* the Secretary-General to examine ways to further improve the assessment of needs and responses and to enhance the availability of data regarding funding in response to natural disasters and to consider concrete recommendations to improve the international response to natural disasters, as necessary, based on his examination, keeping in mind also the need to address any geographical and sectoral imbalances and shortfalls in such responses, where they exist, as well as the more effective use of national emergency response agencies, and to report thereon to the General Assembly at its fifty-ninth session.

RESOLUTION 58/26

Adopted at the 69th plenary meeting, on 5 December 2003, without a vote, on the basis of draft resolution A/58/L.35 and Add.1, sponsored by: Algeria, Angola, Botswana, Burkina Faso, Cape Verde, Cuba, Cyprus, Democratic Republic of the Congo, Denmark, Djibouti, Egypt, Ethiopia, France, Germany, Greece, India, Ireland, Italy, Jamaica, Japan, Kenya, Lesotho, Luxembourg, Madagascar, Malawi, Mali, Mauritania, Mauritius, Mozambique, Namibia, Nigeria, Norway, Portugal, Senegal, Seychelles, Sierra Leone, Somalia, South Africa, Swaziland, Sweden, Syrian Arab Republic, Thailand, Timor-Leste, Togo, Uganda, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Zambia, Zimbabwe

58/26. Emergency humanitarian assistance to Malawi

The General Assembly,

Recalling its relevant resolutions in particular, resolutions 46/182 of 19 December 1991, 54/219 and 54/233 of 22 December 1999, 55/163 of 14 December 2000 and 56/103 of 14 December 2001, and Economic and Social Council resolution 2002/32 of 26 July 2002,

Convinced that all people have the right to a standard of living adequate for the health and well-being of themselves and their families, including food, medical care, necessary social services and security in the event of lack of livelihood in circumstances beyond their control,

Noting that drought and other types of natural disasters have proved to be recurring phenomena in Malawi,

Reiterating that natural disasters damage the social and economic infrastructure of affected countries, although the long-term consequences of such natural disasters are especially severe for poor developing countries, including Malawi, and hamper sustainable development,

Concerned that Malawi continues to face natural catastrophes such as drought, floods and heavy rains, causing serious crop failure, loss of life and extensive damage to property and infrastructure,

Noting that an increasing number of cases of malnutrition, particularly among children, and deaths due to hunger-related diseases continue to occur in Malawi, with adverse long-term consequences,

Deeply alarmed that the rapid spread of HIV/AIDS has increased the vulnerability of communities, creating greater levels of dependency and severely reducing their ability to cope with humanitarian crises,

Gravely concerned that the capability of the national economy to absorb such shocks has been seriously eroded and that the frequent occurrence of extreme natural disasters has increasingly contributed to the stagnation of social and economic development,

Acknowledging that national efforts are critical to prevent the deepening of the humanitarian crisis,

Noting with appreciation the mobilization and allocation of resources by States, relevant organizations of the United Nations system and intergovernmental and non-governmental organizations to complement the national efforts of Malawi,

Aware that international cooperation remains a critical factor for the success of all national efforts to address the crisis situation,

1. *Welcomes* the positive role of the Government of Malawi in the relief operations, in particular the close coordination between the United Nations system and the Government;

2. *Also welcomes* the launching by the Office for the Coordination of Humanitarian Affairs of the Secretariat of the consolidated appeal for Malawi on 18 July 2002 and the humanitarian appeal for 2004 on 18 November 2003, as well as the continued monitoring of the situation, including through the activities of the Special Envoy of the Secretary-General for Humanitarian Needs in Southern Africa;

3. *Requests* the Office for the Coordination of Humanitarian Affairs to continue to seek ways and means of improving the effectiveness of the United Nations consolidated appeals process;

4. *Calls upon* all States to adopt, where required, and to continue to implement effectively, the legislative and other appropriate measures necessary to mitigate the effects of natural disasters, inter alia, in the areas of disaster prevention, including building regulations and appropriate land use, as well as early warning, disaster preparedness and capacity-building in disaster response, and in that context requests the international community to continue to assist Malawi as the need arises;

5. *Emphasizes* the importance of enhanced international cooperation, including with the United Nations and regional organizations, to assist Malawi in its efforts to build capacity and to predict, prepare for and respond to natural disasters;

6. *Stresses*, in that context, the need to further strengthen international cooperation in the provision of emergency humanitarian assistance in support of the efforts of Malawi to deal with natural disasters in all their phases, from relief and mitigation to development, including through the provision of adequate resources, and encourages the effective use of multilateral mechanisms;

7. *Also stresses* that emergency humanitarian assistance for natural disasters should be provided in accordance with the guiding principles contained in the annex to resolution 46/182, on the basis of human dimensions and needs;

8. *Urges* the international community to continue to support the efforts of Malawi to fight the HIV/AIDS pandemic, poverty and malnutrition in order to increase its capacity to cope during natural disasters;

9. *Requests* the Secretary-General to submit to the General Assembly for consideration at its fifty-ninth session a report on the implementation of the present resolution.

RESOLUTIONS 58/27 A and B

Adopted at the 70th plenary meeting, on 5 December 2003, without a vote, on the basis of draft resolution A/58/L.32 and Add.1, sponsored by: Afghanistan, Albania, Algeria, Andorra, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bangladesh, Belarus, Belgium, Benin, Bolivia, Bosnia and Herzegovina, Brazil, Brunei Darussalam, Bulgaria, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Greece, Grenada, Guinea, Guinea-Bissau, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Italy, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Nauru, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sudan, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Uzbekistan, Vanuatu, Venezuela

58/27. Emergency international assistance for peace, normalcy and reconstruction of war-stricken Afghanistan and the situation in Afghanistan and its implications for international peace and security

A

THE SITUATION IN AFGHANISTAN AND ITS IMPLICATIONS FOR INTERNATIONAL PEACE AND SECURITY

The General Assembly,

Recalling its resolution 57/113 A of 6 December 2002 and all its previous relevant resolutions,

Recalling also all relevant Security Council resolutions and statements by the President of the Council on the situation in Afghanistan, in particular resolutions 1267 (1999) of 15 October 1999, 1378 (2001) of 14 November 2001, 1383 (2001) of 6 December 2001, 1390 (2002) of 16 January 2002, 1401 (2002) of 28 March 2002, 1453 (2002) of 24 December 2002 and 1510 (2003) of 13 October 2003,

Reaffirming its continued strong commitment to the sovereignty, independence, territorial integrity and national unity of Afghanistan, and respecting its multicultural, multi-ethnic and historical heritage,

Reaffirming its condemnation of all use of Afghan territory for terrorist activities, and welcoming the ongoing successful efforts of the Afghan people and the Operation Enduring Freedom coalition to combat terrorism on their territory,

Convinced that the main responsibility for finding a political solution lies with the Afghan people themselves, expressing in this regard its full support for President Karzai and the Afghan Transitional Administration, and reaffirming its continued support for the implementation of the provisions of the agreement reached among various Afghan groups in Bonn, Germany, on 5 December 2001,[90] including the holding of free and fair elections in 2004,

Convinced also that a political consolidation aimed at the adoption of a pluralistic and democratic constitution and the establishment of a broad-based, multi-ethnic, fully representative and gender-sensitive government, which respects the rule of law, the human rights of all Afghans and the international obligations of Afghanistan and is committed to peace with all countries, can lead to durable peace and reconciliation,

Recognizing the urgent need for the creation of an effective and ethnically balanced Afghan national army, Ministry of Defence and national police force, and acknowledging the importance of the first steps taken in this regard by the Transitional Administration,

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[90] Agreement on Provisional Arrangements in Afghanistan Pending the Re-establishment of Permanent Government Institutions (see S/2001/1154).

Reiterating that a fair and effective justice system that respects international norms and standards, including by ensuring the accountability of perpetrators of violations of human rights, remains of high importance,

Encouraging the Transitional Administration to consider initiating a process of national reconciliation,

Taking note of the positive developments in Afghanistan in the past two years, in particular the return of a large number of refugees and internally displaced persons, the increased Afghan ownership as illustrated by the progress in implementing education and health programmes, the development of a comprehensive national budget, the introduction of the new currency, the publication of a draft text for a constitution, the beginning of the disarmament, demobilization and reintegration process and the reforms thus far in the security sector, and stressing that these processes should be expedited and carried through to completion,

Expressing its appreciation and strong support for the ongoing efforts of the Secretary-General, his Special Representative for Afghanistan and the staff of the United Nations Assistance Mission in Afghanistan to promote peace and stability in Afghanistan, stressing in particular in this regard the highly valuable role that the current Special Representative of the Secretary-General has played throughout the ongoing process,

Reiterating that the United Nations must continue to play its central and impartial role in the international efforts to assist the Afghan people in consolidating peace in Afghanistan and rebuilding their country and its institutions, as well as in efforts to provide humanitarian assistance, provide for rehabilitation and reconstruction and national capacity-building and facilitate the orderly return of refugees,

Recognizing the need for continued strong international commitment to humanitarian assistance and for programmes, under the ownership of the Transitional Administration, of rehabilitation and reconstruction, and noting that visible progress in this regard can further enhance the authority of the Transitional Administration and greatly contribute to the peace process,

Commending the international efforts to help the Transitional Administration to provide a secure environment in Afghanistan, and stressing the need for a coordinated approach across all parts of the security sector and the importance of a national army and police force that are ethnically balanced, professional and accountable to legitimate civilian authorities,

Welcoming, in this regard, the important role played by both the International Security Assistance Force and its respective lead nations in improving security conditions in and around Kabul and other parts of Afghanistan,

Recognizing the need for Afghanistan and its neighbours to work closely together to promote peace, security, stability and mutually beneficial relations, including through trade and investment, and welcoming therefore the signature of the Kabul Declaration on Good-neighbourly Relations on 22 December 2002[91] and the Declaration on Encouraging Closer Trade, Transit and Investment Cooperation on 22 September 2003,

Noting that, despite improvements in the security sector, the lack of security still remains the most serious challenge facing Afghanistan and Afghans today, expressing its deep concern over a number of recent security incidents in Afghanistan, including the terrorist attacks against United Nations staff, national and international humanitarian personnel and the International Security Assistance Force, noting the necessity of further enhancing the capacity of the Transitional Administration to exercise its authority nationwide, and commending the steps already taken in that regard,

Deeply concerned about the continued increase in the cultivation, production and trafficking of narcotic drugs in Afghanistan, which is undermining stability and security, as well as the political and economic reconstruction of Afghanistan, and has dangerous repercussions in the region and far beyond, and welcoming in this context the commitment of the Transitional Administration to rid Afghanistan of this pernicious production and trade,

Recognizing that the social and economic development of Afghanistan, specifically the development of gainful and sustainable livelihoods in the formal productive sector, is an important condition for the successful implementation of the comprehensive national drug control strategy of the Transitional Administration,

Recognizing also the need for enhanced international cooperation and support to accelerate the implementation of the Afghan national drug control strategy, and looking forward in this regard to the international counter-narcotics conference in Kabul in 2004, to be hosted by the Transitional Administration, the United Nations and the United Kingdom of Great Britain and Northern Ireland,

1. *Takes note* of the report of the Secretary-General;[92]

2. *Welcomes* the recent Security Council mission to Afghanistan and its report,[93] which contains several positive recommendations;

3. *Stresses* that the fragile situation in Afghanistan poses a continuing risk to peace and stability in the region, and expresses its determination to further assist the efforts of the

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[91] S/2002/1416, annex.

[92] A/58/616.

[93] S/2003/1074.

Transitional Administration to prevent the use of Afghan territory for terrorism;

4. *Reiterates its strong support* for the Transitional Administration in the full implementation of the Bonn Agreement,[93] endorses its priorities, as presented in the National Development Framework and national budget, which are the restoration of the economic infrastructure, the strengthening of the central government, the constitutional process, the building of a national army and police force under civilian control, the verified and fair implementation of disarmament, demobilization and reintegration, demining activities, the rebuilding of the justice system, respect for human rights, and combating illicit drug production and trafficking, and urges the international community to support the efforts in these areas;

5. *Stresses* the importance of strengthening the authority of the Transitional Administration, facilitating security sector reform and reconstruction efforts throughout the country and providing a secure environment for the constitutional process and the preparations for the general elections, and in this regard welcomes the recent expansion of the International Security Assistance Force mandate in accordance with the Bonn Agreement, as well as the progressive establishment of provincial reconstruction teams in various parts of Afghanistan;

6. *Calls upon* all Afghan groups to renounce the use of violence, respect human rights and international humanitarian law, respect the authority of the Transitional Administration and implement fully the provisions of the Bonn Agreement;

7. *Welcomes* the role of the Afghan Independent Human Rights Commission in the promotion and protection of human rights and fundamental freedoms in Afghanistan, including through the provision of expert advice to the Constitutional Commission, and encourages the Transitional Administration and the international community to continue to provide appropriate assistance and support to allow the Afghan Independent Human Rights Commission to fulfil its mandate;

8. *Stresses* the fundamental importance for a peaceful, democratic Afghanistan of the upcoming constitutional Loya Jirga and elections in 2004, in accordance with the time frame set out in the Bonn Agreement for the creation of a representative government, and underscores the need for the broad and open participation of all Afghans, including women, in the political process in a secure environment;

9. *Reiterates* the importance of the full and equal participation of and representation by women in political, civil, economic, cultural and social life throughout the country, calls upon the Transitional Administration to protect and promote the equal rights of men and women, and notes in this respect the ratification by Afghanistan of the Convention on the Elimination of All Forms of Discrimination against Women[94] on 5 March 2003;

10. *Commends and strongly supports* the important role of the Special Representative of the Secretary-General for Afghanistan and the staff of the United Nations Assistance Mission in Afghanistan in support of efforts of the Transitional Administration to fully implement the Bonn Agreement, and endorses the concept of the Assistance Mission as a fully integrated Mission under the authority of the Special Representative and with a light international footprint;

11. *Calls upon* donor countries to fulfil promptly their assumed commitments made at the International Conference on Reconstruction Assistance to Afghanistan, held in Tokyo on 21 and 22 January 2002, and reiterated in Dubai, United Arab Emirates, on 21 September 2003, invites them to provide additional resources beyond those pledged so far, and also calls upon all Member States to provide humanitarian assistance and to support the Transitional Administration through measures in accordance with the national development budget published by the Transitional Administration;

12. *Calls upon* the international community to support the efforts of the Transitional Administration to coordinate assistance, to formulate a strategy for the long-term development of Afghanistan and to allocate sufficient funds to the Afghanistan Reconstruction Trust Fund;

13. *Calls upon* the signatories of the Kabul Declaration on Good-neighbourly Relations[95] to respect their commitments under the Declaration, and calls upon all other States to respect and support the implementation of its provisions and to promote regional stability;

14. *Welcomes*, in this regard, the signing of the Declaration on Encouraging Closer Trade, Transit and Investment Cooperation as a further sign of the commitment of Afghanistan and its neighbours to closer regional cooperation;

15. *Calls upon* the members of the Tripartite Commission to redouble their efforts to support peace and security in the southern and south-eastern border areas of Afghanistan;

16. *Calls* for continued international assistance to the vast number of Afghan refugees and internally displaced persons to facilitate their safe and orderly return and sustainable reintegration into society so as to contribute to the stability of the entire country;

17. *Welcomes* the efforts of the Transitional Administration to respect fully the international obligations of Afghanistan with regard to narcotic drugs, and calls upon it to strengthen further its efforts to eliminate the annual poppy crop,

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[94] Resolution 34/180, annex.

as well as to efficiently enforce relevant national laws and regulations against narcotic drugs;

18. *Calls upon* the international community to assist the Transitional Administration in the implementation of its comprehensive national drug control strategy, aimed at eliminating illicit poppy cultivation, which continues to constitute a serious threat to the successful political and economic reconstruction of Afghanistan, including through support for increased law enforcement, crop substitution and other alternative livelihood and development programmes and capacity-building for drug control institutions;

19. *Supports* the fight against the illicit trafficking of drugs and precursors within Afghanistan and in neighbouring States and countries along trafficking routes, including increased cooperation among them to strengthen anti-narcotic controls to curb the drug flow, and welcomes the presentation in Moscow on 29 October 2003 of the latest report of the United Nations International Drug Control Programme on drugs in Afghanistan;

20. *Requests* the Secretary-General to report to the General Assembly every four months during its fifty-eighth session on the progress of the United Nations and the efforts of his Special Representative to promote peace in Afghanistan, and to report to the Assembly at its fifty-ninth session on the progress made in the implementation of the present resolution;

21. *Decides* to include in the provisional agenda of its fifty-ninth session the item entitled "The situation in Afghanistan and its implications for international peace and security".

B

EMERGENCY INTERNATIONAL ASSISTANCE FOR PEACE, NORMALCY AND RECONSTRUCTION OF WAR-STRICKEN AFGHANISTAN

The General Assembly,

Recalling its resolution 57/113 B of 6 December 2002 and all other relevant resolutions,

Recalling also the agreement reached among various Afghan groups in Bonn, Germany, on 5 December 2001[90] and the International Conference on Reconstruction Assistance to Afghanistan, held in Tokyo on 21 and 22 January 2002,

Expressing its grave concern about the continuing effects of decades of conflict in Afghanistan, which have resulted in massive loss of life, extensive human suffering, serious violations of human rights, destruction of property, serious damage to the economic and social infrastructure, refugee flows and other forcible displacements of large numbers of people,

Mindful that Afghanistan is highly vulnerable to natural disasters and that some parts of its territory continue to be affected by serious drought,

Noting the accession of Afghanistan to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction,[95]

Remaining deeply concerned about the problem of millions of anti-personnel landmines and unexploded ordnance, which constitutes a great danger for the civilian population and a major obstacle for the return of refugees and displaced populations and for the resumption of agricultural and other economic activities, the provision of humanitarian assistance and rehabilitation and reconstruction efforts,

Welcoming the positive steps taken so far towards an improved situation of human rights and fundamental freedoms for many Afghans, in particular women and children, and commending in this regard the positive role played by the Afghan Independent Human Rights Commission and Afghan civil society organizations, while noting with grave concern, however, that there remain discriminatory practices that hinder the full enjoyment of their human rights and fundamental freedoms,

Expressing its deep concern about reports of violations of human rights and of international humanitarian law in parts of the country,

Reminding the Transitional Administration and all Afghan groups of their commitment to respect human rights in the country, as contained in the Bonn Agreement,

Reaffirming the importance of the safety and security of the humanitarian personnel and United Nations and associated personnel in Afghanistan, and alarmed by the increase in attacks on humanitarian personnel, including Afghan nationals, in parts of the country,

Noting with concern that the increase in such attacks has limited access to certain areas of Afghanistan and led to inadequate conditions for the delivery of aid for internally displaced persons and vulnerable sectors of the civilian population,

Recognizing that a secure environment is indispensable for the safe and effective delivery and distribution of humanitarian assistance and is a precondition for rehabilitation, reconstruction efforts and long-term development, and welcoming the expansion of the mandate of the International Security Assistance Force to allow it, as resources permit, to support the Afghan Transitional Administration and its successors in the maintenance of security in areas of Afghanistan outside Kabul and its environs, so that the Afghan authorities, as well as the personnel of the United Nations and other international civilian personnel engaged, in particular, in reconstruction and humanitarian efforts, can operate in a secure environment, and to provide security assistance for the performance of other tasks in support of the Bonn Agreement,

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[95] See CD/1478.

Welcoming the ownership of the rehabilitation and reconstruction efforts by the Transitional Administration through the National Development Framework and national budget,

Reiterating the importance of a seamless transition from humanitarian relief to the rehabilitation and reconstruction of Afghanistan, and welcoming the important contribution that the integrated approach of the United Nations Assistance Mission in Afghanistan and of members of the donor community has made in this regard,

Expressing its appreciation to the Special Representative of the Secretary-General for Afghanistan and the United Nations Assistance Mission in Afghanistan for their continued efforts in coordinating, planning and implementing humanitarian and other assistance in cooperation with the Transitional Administration,

Welcoming the return of large numbers of refugees and internally displaced persons, while noting with concern that displacement remains a widespread phenomenon and that the conditions in certain parts of Afghanistan are not yet conducive to safe and sustainable returns to places of origin,

Expressing gratitude to those countries that continue to host Afghan refugee populations, and at the same time once again calling upon all groups to continue to fulfil their obligations for the protection of refugees and internally displaced persons and to allow international access for their protection and care,

Expressing its appreciation to the United Nations system and to all States and international and non-governmental organizations whose international and local staff continue to respond positively to the humanitarian needs of Afghanistan, as well as to the Secretary-General for mobilizing and coordinating the delivery of appropriate humanitarian assistance,

1. *Takes note* of the report of the Secretary-General;[92]

2. *Stresses* that the responsibility for the solution of the humanitarian crisis lies above all with the Afghan people themselves, and urges them to continue their efforts to achieve national reconciliation;

3. *Urges* all Afghan groups to actively support the Transitional Administration in meeting the responsibilities under the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction,[93] to cooperate fully with the mine action programme coordinated by the United Nations and to execute the destruction of all existing stocks of landmines;

4. *Stresses* the coordinating role of the Special Representative of the Secretary-General for Afghanistan for the United Nations system in ensuring a seamless transition from humanitarian relief to the rehabilitation and reconstruction of Afghanistan, including the cooperation of the United Nations system with other actors in the international community, in particular with the international financial institutions;

5. *Commends* the Special Representative of the Secretary-General, the United Nations Assistance Mission in Afghanistan and the Emergency Relief Coordinator for the work accomplished;

6. *Welcomes* the recent substantial contributions to the Law and Order Trust Fund, and at the same time regrets that the funding provided to the Afghanistan Reconstruction Trust Fund and the Law and Order Trust Fund, which were designed to contribute to the mobilization of international support to Afghanistan, remains inadequate;

7. *Urges* the international community to actively participate in and financially contribute to these rehabilitation and reconstruction efforts, and encourages the international community to channel assistance through the national development budget of the Afghan Transitional Administration and to focus attention on building the capacity of Afghans;

8. *Strongly condemns* the recent deliberate attacks and all other acts of violence and intimidation directed against humanitarian personnel and United Nations and associated personnel, and regrets the loss of life and physical harm suffered among such staff;

9. *Urges* the Transitional Administration and local authorities to ensure the safety, security and free movement of all United Nations and humanitarian personnel, as well as their safe and unimpeded access to all affected populations, and to protect the property of the United Nations and of humanitarian organizations, including non-governmental organizations;

10. *Notes* the ratification by Afghanistan of the Convention on the Elimination of All Forms of Discrimination against Women[94] on 5 March 2003, and at the same time strongly condemns once again continuing discrimination against women and girls, as well as against persons belonging to ethnic and religious groups, including minorities;

11. *Emphasizes* the importance of actively involving all elements of Afghan society, in particular women, in the development and implementation of relief, rehabilitation and reconstruction programmes;

12. *Reminds* all Afghan groups of their commitment to the Bonn Agreement,[90] and calls upon them to respect fully the human rights and fundamental freedoms of all, without discrimination of any kind, including on the basis of gender, ethnicity or religion, in accordance with their obligations under international law, and to protect and promote the equal rights of women and men;

13. *Welcomes* the start of the disarmament, demobilization and reintegration process by the Transitional

Administration and the efforts of the international observer group to verify the fairness of the process, and calls upon the international community to assist the Transitional Administration in these efforts;

14. *Also welcomes*, in this regard, the accession of the Transitional Administration on 24 September 2003 to the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict,[96] and urges Afghan groups to refrain from the recruitment or use of children contrary to international standards, while stressing the importance of demobilizing and reintegrating child soldiers and other war-affected children;

15. *Emphasizes* the necessity of investigating allegations of violations of human rights and of international humanitarian law, including violations committed against persons belonging to ethnic and religious minorities, as well as against women and girls, of facilitating the provision of efficient and effective remedies to the victims and of bringing the perpetrators to justice in accordance with international law;

16. *Appeals* to the Transitional Administration and the international community to mainstream gender issues into all humanitarian assistance and future rehabilitation and reconstruction programmes and to actively promote the full and equal participation of and benefit to both women and men in respect of those programmes, underlining the importance of a senior gender adviser position in this context;

17. *Calls upon* the Transitional Administration to provide Afghan children with educational and health facilities in all parts of the country, recognizing the special needs of girls, and to ensure their full access to those facilities;

18. *Expresses its appreciation* to those Governments that continue to host Afghan refugees, and reminds them of their obligations under international refugee law with respect to the protection of refugees and the right to seek asylum;

19. *Calls upon* the Transitional Administration, acting with the support of the international community, to create the conditions for the voluntary, safe, dignified and sustainable return of Afghan refugees and internally displaced persons, welcomes in this respect the initiation of the National Area-Based Development Programme and the National Solidarity Programme, and calls upon the international community to provide adequate funding to these programmes which, inter alia, assist in the resettlement of Afghan refugees and internally displaced persons;

20. *Urges* donors to fulfil promptly the funding commitments made in Tokyo at the International Conference on Reconstruction Assistance to Afghanistan and reiterated in Dubai, United Arab Emirates, on 21 September 2003, and invites them to provide additional resources beyond those pledged so far;

21. *Urgently appeals* to all States, the United Nations system and international and non-governmental organizations to continue to provide, in close collaboration with the Transitional Administration and Afghan civil society, all possible and necessary humanitarian, financial, technical and material assistance for the Afghan population, inter alia, a minimal degree of health care and health services in all parts of the country;

22. *Calls upon* the international community to continue and strengthen its coordination of humanitarian assistance to Afghanistan, bearing in mind the role of the Special Representative of the Secretary-General and the United Nations Assistance Mission in Afghanistan;

23. *Also calls upon* the international community to respond generously and without delay to the national development budget, as well as long-term interventions towards rehabilitation and reconstruction;

24. *Requests* the Secretary-General to report to the General Assembly every four months during its fifty-eighth session on the progress of the United Nations and the efforts of his Special Representative to promote peace in Afghanistan, and to report to the Assembly at its fifty-ninth session on progress made in the implementation of the present resolution;

25. *Decides* to include in the provisional agenda of its fifty-ninth session the sub-item entitled "Emergency international assistance for peace, normalcy and reconstruction of war-stricken Afghanistan".

RESOLUTION 58/110

Adopted at the 72nd plenary meeting, on 9 December 2003, by a recorded vote of 162 to 3, with no abstentions,* on the basis of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (A/58/23)

* *In favour:* Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Kitts and

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[96] Resolution 54/263, annex I.

Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Singapore, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Ukraine, United Arab Emirates, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: Israel, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: None

58/110. Dissemination of information on decolonization

The General Assembly,

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the dissemination of information on decolonization and publicity for the work of the United Nations in the field of decolonization,[97]

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and other resolutions and decisions of the United Nations concerning the dissemination of information on decolonization, in particular resolution 57/139 of 11 December 2002,

Recognizing the need for flexible, practical and innovative approaches towards reviewing the options of self-determination for the peoples of Non-Self-Governing Territories with a view to achieving the goals of the Second International Decade for the Eradication of Colonialism,

Reiterating the importance of dissemination of information as an instrument for furthering the aims of the Declaration, and mindful of the role of world public opinion in effectively assisting the peoples of Non-Self-Governing Territories to achieve self-determination,

Recognizing the role played by the administering Powers in transmitting information to the Secretary-General in accordance with the terms of Article 73 *e* of the Charter of the United Nations,

Aware of the role of non-governmental organizations in the dissemination of information on decolonization,

1. *Approves* the activities in the field of dissemination of information on decolonization undertaken by the Department of Public Information and the Department of Political Affairs of the Secretariat in accordance with the relevant resolutions of the United Nations on decolonization;

2. *Considers it important* to continue its efforts to ensure the widest possible dissemination of information on decolonization, with particular emphasis on the options of self-determination available for the peoples of Non-Self-Governing Territories;

3. *Requests* the Department of Political Affairs and the Department of Public Information to take into account the suggestions of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue their efforts to take measures through all the media available, including publications, radio and television, as well as the Internet, to give publicity to the work of the United Nations in the field of decolonization and, inter alia:

(*a*) To continue to collect, prepare and disseminate, particularly to the Territories, basic material on the issue of self-determination of the peoples of Non-Self-Governing Territories;

(*b*) To seek the full cooperation of the administering Powers in the discharge of the tasks referred to above;

(*c*) To maintain a working relationship with the appropriate regional and intergovernmental organizations, particularly in the Pacific and Caribbean regions, by holding periodic consultations and exchanging information;

(*d*) To encourage the involvement of non-governmental organizations in the dissemination of information on decolonization;

(*e*) To report to the Special Committee on measures taken in the implementation of the present resolution;

4. *Requests* all States, including the administering Powers, to continue to extend their cooperation in the dissemination of information referred to in paragraph 2 above;

5. *Requests* the Special Committee to follow the implementation of the present resolution and to report thereon to the General Assembly at its fifty-ninth session.

RESOLUTION 58/111

Adopted at the 72nd plenary meeting, on 9 December 2003, by a recorded vote of 154 to 2, with 8 abstentions,* on the basis of draft resolution A/58/L.21, sponsored by: Côte d'Ivoire, Cuba, Fiji, Grenada, Saint Lucia

* *In favour*: Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Fiji, France, Gambia, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya,

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[97] A/58/23 (Part II), chap. III. For the final text, see *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 23*.

Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Singapore, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Turkey, Turkmenistan, Tuvalu, Ukraine, United Arab Emirates, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Albania, Belgium, Estonia, Finland, Georgia, Germany, Israel, Micronesia (Federated States of)

58/111. Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

The General Assembly,

Having examined the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,[98]

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all its subsequent resolutions concerning the implementation of the Declaration, most recently resolution 57/140 of 11 December 2002, as well as the relevant resolutions of the Security Council,

Bearing in mind the declaration of the period 2001–2010 as the Second International Decade for the Eradication of Colonialism, and the need to examine ways to ascertain the wishes of the peoples of the Non-Self-Governing Territories on the basis of resolution 1514 (XV) and other relevant resolutions on decolonization,

Recognizing that the eradication of colonialism has been one of the priorities of the Organization and continues to be one of its priorities for the decade that began in 2001,

Reconfirming the need to take measures to eliminate colonialism before 2010, as called for in its resolution 55/146 of 8 December 2000,

Reiterating its conviction of the need for the eradication of colonialism, as well as of racial discrimination and violations of basic human rights,

Noting with satisfaction the achievements of the Special Committee in contributing to the effective and complete implementation of the Declaration and other relevant resolutions of the United Nations on decolonization,

Stressing the importance of the participation of the administering Powers in the work of the Special Committee,

Noting with concern that the non-participation of certain administering Powers has adversely affected the implementation of the mandate and work of the Special Committee,

Noting with satisfaction the cooperation and active participation of some administering Powers in the work of the Special Committee,

Noting that the other administering Powers have now agreed to work informally with the Special Committee,

Taking note of the consultations and agreements between the parties concerned in some Non-Self-Governing Territories and the action taken by the Secretary-General in relation to certain Non-Self-Governing Territories,

Aware of the pressing need of newly independent and emerging States for assistance from the United Nations and its system of organizations in the economic, social and other fields,

Aware also of the pressing need of many of the remaining Non-Self-Governing Territories, many of which are small island Territories, for economic, social and other assistance from the United Nations and the organizations of its system,

Taking special note of the fact that, for the first time in a Non-Self-Governing Territory, the Special Committee held a Caribbean regional seminar on advancing the decolonization process in the Caribbean and Bermuda in Anguilla from 20 to 22 May 2003,[99]

1. *Reaffirms* its resolution 1514 (XV) and all other resolutions and decisions on decolonization, including its resolution 55/146, in which it declares the period 2001–2010 the Second International Decade for the Eradication of Colonialism, and calls upon the administering Powers, in accordance with those resolutions, to take all necessary steps to enable the peoples of the Non-Self-Governing Territories concerned to exercise fully as soon as possible their right to self-determination, including independence;

2. *Reaffirms once again* that the existence of colonialism in any form or manifestation, including economic exploitation, is incompatible with the Charter of the United Nations, the Declaration on the Granting of Independence to Colonial Countries and Peoples and the Universal Declaration of Human Rights;[100]

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[98] A/58/23 (Parts I–III). For the final text, see *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 23.*

[99] See A/58/23 (Part I), chap. II, annex. For the final text, see *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 23.*

[100] Resolution 217 A (III).

3. *Reaffirms its determination* to continue to take all steps necessary to bring about the complete and speedy eradication of colonialism and the faithful observance by all States of the relevant provisions of the Charter, the Declaration on the Granting of Independence to Colonial Countries and Peoples and the Universal Declaration of Human Rights;

4. *Affirms once again its support* for the aspirations of the peoples under colonial rule to exercise their right to self-determination, including independence, in accordance with relevant resolutions of the United Nations on decolonization;

5. *Approves* the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples covering its work during 2003, including the programme of work envisaged for 2004;[101]

6. *Calls upon* the administering Powers to cooperate fully with the Special Committee to finalize before the end of 2004 a constructive programme of work on a case-by-case basis for the Non-Self-Governing Territories to facilitate the implementation of the mandate of the Special Committee and the relevant resolutions on decolonization, including resolutions on specific Territories;

7. *Welcomes* the ongoing consultations between the Special Committee and New Zealand, as administering Power for Tokelau, with the participation of representatives of the people of Tokelau, with a view to advancing the programme of work on the question of Tokelau;

8. *Requests* the Special Committee to continue to seek suitable means for the immediate and full implementation of the Declaration and to carry out the actions approved by the General Assembly regarding the International Decade for the Eradication of Colonialism and the Second International Decade in all Territories that have not yet exercised their right to self-determination, including independence, and in particular:

(*a*) To formulate specific proposals to bring about an end to colonialism and to report thereon to the General Assembly at its fifty-ninth session;

(*b*) To continue to examine the implementation by Member States of resolution 1514 (XV) and other relevant resolutions on decolonization;

(*c*) To continue to examine the political, economic and social situation in the Non-Self-Governing Territories, and to recommend, as appropriate, to the General Assembly the most suitable steps to be taken to enable the populations of those Territories to exercise their right to self-determination, including independence, in accordance with relevant resolutions on decolonization, including resolutions on specific Territories;

(*d*) To finalize before the end of 2004 a constructive programme of work on a case-by-case basis for the Non-Self-Governing Territories to facilitate the implementation of the mandate of the Special Committee and the relevant resolutions on decolonization, including resolutions on specific Territories;

(*e*) To continue to dispatch visiting missions to the Non-Self-Governing Territories in accordance with relevant resolutions on decolonization, including resolutions on specific Territories;

(*f*) To conduct seminars, as appropriate, for the purpose of receiving and disseminating information on the work of the Special Committee, and to facilitate participation by the peoples of the Non-Self-Governing Territories in those seminars;

(*g*) To take all necessary steps to enlist worldwide support among Governments, as well as national and international organizations, for the achievement of the objectives of the Declaration and the implementation of the relevant resolutions of the United Nations;

(*h*) To observe annually the Week of Solidarity with the Peoples of Non-Self-Governing Territories;[102]

9. *Calls upon* all States, in particular the administering Powers, as well as the specialized agencies and other organizations of the United Nations system, to give effect within their respective spheres of competence to the recommendations of the Special Committee for the implementation of the Declaration and other relevant resolutions of the United Nations;

10. *Calls upon* the administering Powers to ensure that the economic activities in the Non-Self-Governing Territories under their administration do not adversely affect the interests of the peoples but instead promote development, and to assist them in the exercise of their right to self-determination;

11. *Urges* the administering Powers concerned to take effective measures to safeguard and guarantee the inalienable rights of the peoples of the Non-Self-Governing Territories to their natural resources, including land, and to establish and maintain control over the future development of those resources, and requests the administering Powers to take all necessary steps to protect the property rights of the peoples of those Territories;

12. *Urges* all States, directly and through their action in the specialized agencies and other organizations of the United Nations system, to provide moral and material assistance to the peoples of the Non-Self-Governing Territories, and requests that the administering Powers take steps to enlist and make effective use of all possible assistance, on both a bilateral and a

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[101] See A/58/23 (Part I), chap. I, sect. J. For the final text, see *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 23.*

[102] See resolution 2911 (XXVII).

multilateral basis, in the strengthening of the economies of those Territories;

13. *Reaffirms* that the United Nations visiting missions to the Territories are an effective means of ascertaining the situation in the Territories, as well as the wishes and aspirations of their inhabitants, and calls upon the administering Powers to continue to cooperate with the Special Committee in the discharge of its mandate and to facilitate visiting missions to the Territories;

14. *Calls upon* the administering Powers that have not participated formally in the work of the Special Committee to do so at its session in 2004;

15. *Requests* the Secretary-General, the specialized agencies and other organizations of the United Nations system to provide economic, social and other assistance to the Non-Self-Governing Territories and to continue to do so, as appropriate, after they exercise their right to self-determination, including independence;

16. *Requests* the Secretary-General to provide the Special Committee with the facilities and services required for the implementation of the present resolution, as well as of the other resolutions and decisions on decolonization adopted by the General Assembly and the Special Committee.

RESOLUTION 58/112

Adopted at the 75th plenary meeting, on 17 December 2003, without a vote, on the basis of draft resolution A/58/L.36 and Add.1, sponsored by: Germany, Ireland, Japan, Lithuania, Morocco (on behalf of the States Members of the United Nations that are members of the Group of 77 and China), Norway, Poland, Portugal, Republic of Korea, United States of America

58/112. Report of the Committee for Development Policy

The General Assembly,

Noting that Timor-Leste became a member of the United Nations on 27 September 2002,

Recalling Economic and Social Council decisions 2003/280 and 2003/281 of 24 July 2003 on the report of the Committee for Development Policy,[103]

Noting that Timor-Leste has given its consent to be included in the list of least developed countries,

Endorses the recommendation of the Economic and Social Council that Timor-Leste be added to the list of the least developed countries.

RESOLUTION 58/113

Adopted at the 75th plenary meeting, on 17 December 2003, by a recorded vote of 170 to none, with 2 abstentions,* on the basis of draft resolution A/58/L.33/Rev.1 and Add.1, as orally revised, sponsored by: Austria, Bulgaria, Cuba, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Lithuania, Luxembourg, Malta, Monaco, Netherlands, New Zealand, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America

* *In favour:* Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Belarus, Belgium, Belize, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burundi, Cambodia, Canada, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: None

Abstaining: Israel, Kenya

58/113. Assistance to the Palestinian people

The General Assembly,

Recalling its resolution 57/147 of 16 December 2002, as well as previous resolutions on the question,

Recalling also the signing of the Declaration of Principles on Interim Self-Government Arrangements in Washington, D.C., on 13 September 1993, by the Government of the State of Israel and the Palestine Liberation Organization, the representative of the Palestinian people,[104] and the subsequent implementation agreements concluded by the two sides,

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[103] *Official Records of the Economic and Social Council, 2003, Supplement No. 13* (E/2003/33).

[104] A/48/486-S/26560, annex.

Gravely concerned at the deterioration in the living conditions of the Palestinian people throughout the occupied territory, which constitutes a mounting humanitarian crisis,

Conscious of the urgent need for improvement in the economic and social infrastructure of the occupied territory,

Aware that development is difficult under occupation and is best promoted in circumstances of peace and stability,

Noting the great economic and social challenges facing the Palestinian people and their leadership,

Conscious of the urgent necessity for international assistance to the Palestinian people, taking into account the Palestinian priorities,

Welcoming the results of the Conference to Support Middle East Peace, convened in Washington, D.C., on 1 October 1993, the establishment of the Ad Hoc Liaison Committee and the work being done by the World Bank as its secretariat and the establishment of the Consultative Group, as well as all follow-up meetings and international mechanisms established to provide assistance to the Palestinian people,

Welcoming also the work of the Joint Liaison Committee, which provides a forum in which economic policy and practical matters related to donor assistance are discussed with the Palestinian Authority,

Stressing the continued importance of the work of the Ad Hoc Liaison Committee in the coordination of assistance to the Palestinian people,

Noting the convening of the Ad Hoc Liaison Committee meetings, held in London on 18 and 19 February 2003 and in Rome on 10 December 2003, to review the state of the Palestinian economy,

Stressing the need for the full engagement of the United Nations in the process of building Palestinian institutions and in providing broad assistance to the Palestinian people, and welcoming in this regard the support to the Palestinian Authority by the Task Force on Palestinian Reform established by the Quartet in 2002,

Noting, in this regard, the active participation of the United Nations Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General to the Palestine Liberation Organization and the Palestinian Authority in the activities of the Special Envoys of the Quartet,

Welcoming the endorsement by the Security Council, in its resolution 1515 (2003) of 19 November 2003, of the performance-based road map to a permanent two-State solution to the Israeli-Palestinian conflict,[105] and stressing the need for its implementation and compliance with its provisions,

Having considered the report of the Secretary-General,[106]

Expressing grave concern at the continuation of the recent tragic and violent events that have led to many deaths and injuries,

1. *Takes note* of the report of the Secretary-General;[106]

2. *Also takes note* of the report of the Personal Humanitarian Envoy of the Secretary-General on the humanitarian conditions and needs of the Palestinian people;[107]

3. *Expresses its appreciation* to the Secretary-General for his rapid response and efforts regarding assistance to the Palestinian people;

4. *Also expresses its appreciation* to the Member States, United Nations bodies and intergovernmental, regional and non-governmental organizations that have provided and continue to provide assistance to the Palestinian people;

5. *Stresses* the importance of the work of the United Nations Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General to the Palestine Liberation Organization and the Palestinian Authority and of the steps taken under the auspices of the Secretary-General to ensure the achievement of a coordinated mechanism for United Nations activities throughout the occupied territories;

6. *Urges* Member States, international financial institutions of the United Nations system, intergovernmental and non-governmental organizations and regional and interregional organizations to extend, as rapidly and as generously as possible, economic and social assistance to the Palestinian people, in close cooperation with the Palestine Liberation Organization and through official Palestinian institutions;

7. *Calls upon* relevant organizations and agencies of the United Nations system to intensify their assistance in response to the urgent needs of the Palestinian people in accordance with Palestinian priorities set forth by the Palestinian Authority;

8. *Urges* Member States to open their markets to exports of Palestinian products on the most favourable terms, consistent with appropriate trading rules, and to implement fully existing trade and cooperation agreements;

9. *Calls upon* the international donor community to expedite the delivery of pledged assistance to the Palestinian people to meet their urgent needs;

10. *Stresses*, in this context, the importance of ensuring the free passage of aid to the Palestinian people and the free movement of persons and goods;

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[105] S/2003/529, annex.

[106] A/58/88-E/2003/84 and Corr.1.

[107] Available from http://domino.un.org/bertini_rpt.htm.

11. *Urges* the international donor community, United Nations agencies and organizations and non-governmental organizations to extend as rapidly as possible emergency economic and humanitarian assistance to the Palestinian people to counter the impact of the current crisis;

12. *Stresses* the need to implement the Paris Protocol on Economic Relations of 29 April 1994, fifth annex to the Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip, signed in Washington, D.C., on 28 September 1995,[108] in particular with regard to the full and prompt clearance of Palestinian indirect tax revenues, and welcomes the progress made in this regard;

13. *Suggests* the convening in 2004 of a United Nations-sponsored seminar on assistance to the Palestinian people;

14. *Requests* the Secretary-General to submit a report to the General Assembly at its fifty-ninth session, through the Economic and Social Council, on the implementation of the present resolution, containing:

(*a*) An assessment of the assistance actually received by the Palestinian people;

(*b*) An assessment of the needs still unmet and specific proposals for responding effectively to them;

15. *Decides* to include in the provisional agenda of its fifty-ninth session the sub-item entitled "Assistance to the Palestinian people".

RESOLUTION 58/114

Adopted at the 75th plenary meeting, on 17 December 2003, without a vote, on the basis of draft resolution A/58/L.39 and Add.1, sponsored by: Andorra, Argentina, Australia, Austria, Belarus, Belgium, Bosnia and Herzegovina, Brazil, Canada, Chile, Croatia, Cyprus, Czech Republic, Denmark, Egypt, Eritrea, Estonia, Finland, France, Germany, Greece, Guatemala, Hungary, India, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malawi, Malta, Monaco, Morocco, Netherlands, New Zealand, Nigeria, Norway, Panama, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Serbia and Montenegro, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America

58/114. Strengthening of the coordination of emergency humanitarian assistance of the United Nations

The General Assembly,

Recalling its resolution 46/182 of 19 December 1991 and the guiding principles contained in the annex thereto, other relevant General Assembly and Economic and Social Council resolutions and agreed conclusions of the Council,

Taking note of the report of the Secretary-General,[109]

Taking note also of the report of the Secretary-General on the status of implementation of actions described in the report of the Secretary-General entitled "Strengthening of the United Nations: an agenda for further change",[110]

Reaffirming the principles of neutrality, humanity and impartiality for the provision of humanitarian assistance,

Recognizing that independence, meaning the autonomy of humanitarian objectives from the political, economic, military or other objectives that any actor may hold with regard to areas where humanitarian action is being implemented, is also an important guiding principle for the provision of humanitarian assistance,

Gravely concerned about the acts of violence against humanitarian personnel and United Nations and its associated personnel, in particular deliberate attacks, which are in violation of international humanitarian law or other international law that may be applicable,

Gravely concerned also about the lack of access by humanitarian personnel to victims of humanitarian emergencies, in particular in armed conflict and in post-conflict situations, in many regions of the world,

Reaffirming the responsibility first and foremost of States to take care of the victims of humanitarian emergencies within their own borders, while recognizing that the magnitude and duration of many emergencies may be beyond the response capacity of many affected countries,

Concerned about the need to mobilize adequate levels of financing for emergency humanitarian assistance,

Emphasizing that the Office for the Coordination of Humanitarian Affairs of the Secretariat should benefit from adequate and more predictable funding, while stressing the importance for the Office to continue to make efforts to broaden its donor base,

Recognizing the importance of humanitarian assistance in ensuring the effective transition from conflict to peace and in preventing the recurrence of armed conflict, and that humanitarian assistance must be provided in ways that will be supportive of recovery and long-term development,

Recognizing also the importance of adequate assistance in the transition from relief to development,

1. *Takes note with appreciation* of the outcome of the sixth humanitarian affairs segment of the Economic and Social Council, during its substantive session of 2003;

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[108] A/51/889-S/1997/357, annex.

[109] A/58/89-E/2003/85.

[110] A/58/351.

2. *Welcomes* the appointment of the new Emergency Relief Coordinator, encourages the Office for the Coordination of Humanitarian Affairs of the Secretariat to continue its efforts to strengthen the coordination of humanitarian assistance of the United Nations, including through the Consolidated Appeal Process, and calls upon relevant United Nations organizations as well as other humanitarian and development actors to work with the Office in enhancing the coordination, effectiveness and efficiency of humanitarian assistance;

3. *Stresses* the need to increase in an incremental way, in the normal course of the budget process, the share of the budget of the Office for the Coordination of Humanitarian Affairs borne by the United Nations regular budget;

4. *Emphasizes* the importance of the discussion of humanitarian policies and activities in the General Assembly and the Economic and Social Council;

5. *Calls upon* relevant organizations of the United Nations system, other relevant international organizations, Governments and non-governmental organizations to cooperate with the Secretary-General and the Emergency Relief Coordinator to ensure timely implementation of and follow-up to resolutions of the Economic and Social Council adopted at the humanitarian affairs segment of its substantive session;

6. *Encourages* the Economic and Social Council to consider the issue of the transition from relief to development in an integrated manner, through a possible joint meeting of the humanitarian and operational segments, during its substantive session in the near future, in view of the importance of getting humanitarian and development organizations, including international and regional financial institutions and non-governmental organizations, to discuss and review more fully the implications of the transition from relief to development in their programming, and invites the Council to take into account, inter alia, the work in progress by the United Nations system to clarify its role in post-conflict transition situations as well as other relevant information in its consideration;

7. *Strongly condemns* all forms of violence to which humanitarian personnel and United Nations and its associated personnel are increasingly subjected, as well as any act or failure to act, contrary to international law, which obstructs or prevents humanitarian personnel and United Nations and its associated personnel from discharging their humanitarian functions;

8. *Urges* all States to take necessary measures to ensure the safety and security of humanitarian personnel and United Nations and its associated personnel;

9. *Reaffirms* the leading role of civilian organizations in implementing humanitarian assistance, particularly in areas affected by conflicts, affirms the need, in situations where military capacity and assets are used to support the implementation of humanitarian assistance, for their use to be in conformity with international humanitarian law and humanitarian principles, and in this regard takes note of the 2003 "Guidelines on the Use of Military and Civil Defence Assets to Support United Nations Humanitarian Activities in Complex Emergencies",[111] as well as of the 1994 "Guidelines on the Use of Military and Civil Defence Assets in Disaster Relief";[112]

10. *Calls upon* all Governments and parties in complex humanitarian emergencies, in particular in armed conflicts and in post-conflict situations, in countries in which humanitarian personnel are operating, in conformity with the relevant provisions of international law and national laws, to cooperate fully with the United Nations and other humanitarian agencies and organizations and to ensure the safe and unhindered access of humanitarian personnel as well as supplies and equipment in order to allow them to perform efficiently their task of assisting the affected civilian population, including refugees and internally displaced persons;

11. *Encourages* Member States with internally displaced persons to develop or strengthen, as appropriate, national laws, policies and minimum standards on internal displacement, inter alia, taking into account the Guiding Principles on Internal Displacement,[113] and to continue to work with humanitarian agencies in endeavours to provide a more predictable response to the needs of internally displaced persons, and in this regard calls for international support, upon request, to capacity-building efforts of Governments;

12. *Reaffirms* the obligation of all States and parties to an armed conflict to protect civilians in armed conflicts in accordance with international humanitarian law, and invites States to promote a culture of protection, taking into account the particular needs of women, children, older persons and persons with disabilities;

13. *Welcomes* the continued efforts to address the issue of sexual exploitation and sexual abuse in the context of humanitarian crises, and notes with interest the bulletin of the Secretary-General on special measures for protection from sexual exploitation and sexual abuse;[114]

14. *Encourages* the donor community to improve its response to humanitarian emergencies through policies and practices of good donorship, together with mechanisms for their review, and welcomes steps taken in this direction;

15. *Calls upon* relevant United Nations organizations to improve and increase consistency in the way in which humanitarian needs are assessed;

16. *Requests* the Secretary-General to report to the General Assembly at its fifty-ninth session, through the Economic

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[111] Available from www.reliefweb.int/w/rwb.nsf.

[112] Department of Humanitarian Affairs, document DHA/94/95.

[113] E/CN.4/1998/53/Add.2, annex.

[114] ST/SGB/2003/13.

and Social Council at its substantive session of 2004, on progress made in strengthening the coordination of emergency humanitarian assistance of the United Nations, including the implementation of and follow-up to Economic and Social Council resolution 2003/5 of 15 July 2003.

RESOLUTION 58/115

Adopted at the 75th plenary meeting, on 17 December 2003, without a vote, on the basis of draft resolution A/58/L.40 and Add.1, sponsored by: Afghanistan, Algeria, Austria, Bahrain, Bangladesh, Belarus, Benin, Burkina Faso, Burundi, Cameroon, Cape Verde, Chad, Chile, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic Republic of the Congo, Djibouti, Egypt, Equatorial Guinea, Eritrea, Ethiopia, Fiji, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guinea, Guinea-Bissau, Haiti, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Jordan, Kenya, Kuwait, Lebanon, Lesotho, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malawi, Mali, Mauritania, Mauritius, Morocco, Mozambique, Namibia, Nepal, Niger, Nigeria, Norway, Oman, Pakistan, Portugal, Qatar, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Sierra Leone, Solomon Islands, Somalia, South Africa, Sudan, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Uganda, United Arab Emirates, United Republic of Tanzania, Yemen, Zambia

58/115. Assistance for humanitarian relief and the economic and social rehabilitation of Somalia

The General Assembly,

Recalling its resolution 47/160 of 18 December 1992 and subsequent relevant resolutions, in particular resolutions 56/106 of 14 December 2001 and 57/154 of 16 December 2002,

Noting with serious concern that the current four-year drought in Somalia threatens the lives of Somali nomads as well as livestock,

Noting with grave concern the high mortality rates of over 80 per cent of livestock in the worst-affected areas of the Sool and Sanaag plateau of Somalia and the high risk of starvation of Somali nomads,

Noting with serious concern the threat, as a result of this drought, of an imminent collapse of the Somali economy, and in particular of the pastoral economy and social support systems,

Underlining the urgent need for humanitarian assistance, relief and reconstruction,

Noting the linkage between the search for peace and alleviation of the humanitarian crisis in Somalia,

Welcoming the continued focus of the United Nations, in partnership with civil society at the grass-roots level, on programmes of assistance, including both humanitarian and development approaches, taking into consideration the conditions on the ground,

Recalling statements by the President of the Security Council of 31 October 2001[115] and 28 March 2002,[116] by which the Security Council condemned attacks on humanitarian personnel and called upon all parties in Somalia to respect fully the security and safety of personnel of the United Nations, the International Committee of the Red Cross and non-governmental organizations, and to guarantee their complete freedom of movement and access throughout Somalia,

Re-emphasizing the importance of the further implementation of its resolutions 47/160, 56/106 and 57/154 to rehabilitate basic social and economic services throughout the country,

Taking note of the reports of the Secretary-General,[117]

1. *Expresses its appreciation* to the Secretary-General for his continued and tireless efforts to mobilize assistance for the Somali people;

2. *Reiterates its firm support* for the national reconciliation process sponsored by the Intergovernmental Authority on Development, and in particular for the ongoing peace conference in Kenya and the efforts of the Facilitation Committee in this regard, urges all parties throughout Somalia to participate in the process, and invites the Intergovernmental Authority and its member States to continue their efforts to promote national reconciliation in Somalia;

3. *Encourages* the further implementation of its resolution 47/160 to rehabilitate basic social and economic services throughout Somalia;

4. *Welcomes* the strategy of the United Nations focusing on the implementation of community-based interventions aimed at rebuilding local infrastructures and increased self-reliance of the local population, and the ongoing efforts by the United Nations agencies, their Somali counterparts and their partner organizations to establish and maintain close coordination and cooperation mechanisms available for the implementation of the relief, rehabilitation and reconstruction programme;

5. *Notes* the incremental and prioritized approach of the United Nations system to addressing the continuing crisis and needs in Somalia while maintaining long-term commitments to rehabilitation, recovery and development activities;

6. *Commends* the Office for the Coordination of Humanitarian Affairs of the Secretariat for its response, and underlines the urgent need for putting in place practical

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[115] S/PRST/2001/30; see *Resolutions and Decisions of the Security Council, 1 January 2001–31 July 2002.*

[116] S/PRST/2002/8; see *Resolutions and Decisions of the Security Council, 1 January 2001–31 July 2002.*

[117] A/58/133, S/2003/231, S/2003/636 and S/2003/987.

measures aimed at the alleviation of the consequences of the drought in Somalia;

7. *Urges* all States and intergovernmental and non-governmental organizations concerned to continue to implement further its resolutions 47/160, 56/106 and 57/154 in order to assist the Somali people in embarking on the rehabilitation of basic social and economic services, as well as institution-building aimed at the restoration of structures of civil governance at all levels in all parts of the country in which peace and security prevail;

8. *Calls upon* the Secretary-General to continue to mobilize international humanitarian, rehabilitation and reconstruction assistance for Somalia;

9. *Calls upon* all Somali parties to respect the security and safety of the personnel of the United Nations, the specialized agencies and non-governmental organizations and to guarantee their complete freedom of movement and safe access throughout Somalia;

10. *Urges* the international community to provide as a matter of urgency humanitarian assistance and relief to the Somali people to alleviate in particular the consequences of the prevailing drought;

11. *Calls upon* the international community to provide continuing and increased assistance in response to the United Nations 2004 Consolidated Inter-Agency Appeal for relief, rehabilitation and reconstruction assistance for Somalia;

12. *Commends* the Secretary-General for the establishment of the Trust Fund for Peace-Building in Somalia, welcomes the contributions made thus far to the Fund, and appeals to Member States to contribute to it;

13. *Requests* the Secretary-General, in view of the critical situation in Somalia, to take all necessary and practicable measures for the implementation of the present resolution and to report thereon to the General Assembly at its fifty-ninth session.

RESOLUTION 58/116

Adopted at the 75th plenary meeting, on 17 December 2003, without a vote, on the basis of draft resolution A/58/L.41 and Add.1, sponsored by: Algeria, Angola, Burkina Faso, Burundi, Comoros, Congo, Cuba, Democratic Republic of the Congo, Djibouti, Egypt, Eritrea, Ethiopia, France, Germany, Ghana, Greece, Guinea-Bissau, India, Ireland, Jordan, Kenya, Kuwait, Lebanon, Lesotho, Madagascar, Malawi, Mali, Mauritania, Mauritius, Morocco, Mozambique, Niger, Nigeria, Portugal, Senegal, Sierra Leone, Somalia, South Africa, Sudan, Syrian Arab Republic, Thailand, Timor-Leste, Togo, Tunisia, Uganda, United Republic of Tanzania, Yemen

58/116. Economic assistance for the reconstruction and development of Djibouti

The General Assembly,

Recalling its resolution 56/108 of 14 December 2001 and its previous resolutions on economic assistance to Djibouti,

Recalling also the United Nations Millennium Declaration,[118]

Recalling further the Brussels Declaration[119] and the Programme of Action for the Least Developed Countries for the Decade 2001–2010,[120] adopted by the Third United Nations Conference on the Least Developed Countries on 20 May 2001, as well as the mutual commitments undertaken on that occasion and the importance attached to follow-up and the implementation of the Programme of Action,

Aware that Djibouti is included in the list of least developed countries and that it is ranked 153rd out of the 175 countries studied in the *Human Development Report 2003*,[121]

Noting that the economic and social development efforts of Djibouti are constrained by the extremes of the local climate, in particular cyclical droughts, and that the implementation of reconstruction and development programmes requires the deployment of substantial resources which exceed the limited capacity of the country,

Noting also that the situation in Djibouti has been made worse by the disastrous drought situation prevailing in the Horn of Africa and by the absence of natural resources, which continues to place serious constraints on the fragile economic, budgetary, social and administrative infrastructure of the country,

Expressing its concern at the severe shortage of drinkable water and the dramatic projected figures for the year 2020 as reflected in the report of the Secretary-General,[122]

Noting with satisfaction that the Government of Djibouti is pursuing the implementation of a reform programme and is about to finalize with the international financial institutions a poverty reduction strategy paper,

Noting with gratitude the support provided by various countries, as well as intergovernmental and non-governmental organizations, to meet the humanitarian needs of the country,

1. *Takes note* of the report of the Secretary-General;[122]

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[118] See resolution 55/2.

[119] A/CONF.191/13, chap. I.

[120] Ibid., chap. II.

[121] Published for the United Nations Development Programme by Oxford University Press, New York, 2003.

[122] A/58/285.

2. *Declares its solidarity* with the Government and the people of Djibouti, who continue to face critical developmental and humanitarian challenges owing, in particular, to the scarcity of natural resources, coupled with harsh climatic conditions and the acute issue of water supply impacting on the development aspirations of the country;

3. *Encourages* the Government of Djibouti, despite difficult economic and regional situations, to continue its serious efforts towards the consolidation of democracy;

4. *Notes with satisfaction* the implementation of a reform programme by Djibouti, and in that context appeals to all Governments, international financial institutions, the specialized agencies and non-governmental organizations to respond adequately to the financial and material needs of the country in line with the poverty reduction strategy paper;

5. *Expresses its gratitude* to the intergovernmental organizations and the specialized agencies of the United Nations for their contributions to the national rehabilitation of Djibouti, and invites them to continue their efforts;

6. *Expresses its appreciation* to the Secretary-General for his continued efforts to make the international community aware of the difficulties faced by Djibouti, and welcomes his initiative to appoint a special envoy for humanitarian affairs for the Horn of Africa, with the objective of mobilizing resources for relief support as well as sustainable development;

7. *Requests* the Secretary-General to continue, in close cooperation with the Government of Djibouti, his efforts to mobilize resources necessary for an effective programme of financial, technical and material assistance to Djibouti;

8. *Also requests* the Secretary-General to report to the General Assembly at its sixtieth session on the humanitarian situation of Djibouti and on the progress made with regard to economic assistance to Djibouti and the implementation of the present resolution.

RESOLUTION 58/117

Adopted at the 75th plenary meeting, on 17 December 2003, without a vote, on the basis of draft resolution A/58/L.42 and Add.1, sponsored by: Antigua and Barbuda, Argentina, Belize, Bolivia, Chile, Colombia, Comoros, Costa Rica, Dominica, Ecuador, El Salvador, Greece, Grenada, Guatemala, Honduras, Italy, Jamaica, Japan, Malawi, Mexico, Nicaragua, Nigeria, Panama, Paraguay, Peru, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Senegal, Suriname, United States of America

58/117. International assistance to and cooperation with the Alliance for the Sustainable Development of Central America

The General Assembly,

Reaffirming all relevant resolutions of the General Assembly that emphasize and acknowledge the importance of international, bilateral and multilateral economic, financial and technical support, cooperation and assistance given by the United Nations system, the international community and non-governmental organizations, which provide a framework for the provision of aid to the Alliance for the Sustainable Development of Central America,[123] in support of national efforts to make the region a zone of peace, freedom, democracy and development,

Noting that the Central American countries have achieved significant progress towards the consolidation of democracy and good governance, the strengthening of civilian Governments and respect for human rights and the rule of law, all as a tool for promoting sustainable development and regional integration, reflecting the desire of the Central American peoples to live and prosper in a climate of peace, solidarity and social justice,

Stressing the importance of the commitments, and their implementation, as undertaken by the regional summits and ministerial meetings, in particular in those areas included in the programme initiatives of the Alliance for the Sustainable Development of Central America in the political, economic, social and ecological fields, which allow a progressive improvement in the quality of life of the people of the region,

Noting that the various natural phenomena which have affected the region are one of the factors that have put at risk the biodiversity of Central America,

Emphasizing that the progress made in complying with the commitments established in the programme of the Alliance for the Sustainable Development of Central America creates the necessary conditions for implementing the policies for reducing the vulnerability of the region to natural disasters,

Noting that the framework of the Puebla-Panama Plan includes the Mesoamerican Initiative for the Prevention and Mitigation of Natural Disasters, as well as others that promote the conservation and sustainable management of natural resources, and encompasses the strategy for the transformation and modernization of Central America in the twenty-first century, presented during the Regional Consultative Group meeting, held in Madrid on 8 and 9 March 2001, and the Strategy for the South-Southeast of Mexico,

Noting also the adoption in 2001 of the Regional Mechanism of Coordination of Mutual Assistance in Case of Disasters, as well as the successful work of the Coordination Centre for the Prevention of Natural Disasters in Central America and, in particular, its mandate to hold the Mitch +5 Regional Forum, and the Regional Programme for Risk Management in Central America of the Coordination Centre and the United Nations Development Programme,

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[123] See A/49/580-S/1994/1217, annex I.

Welcoming the adoption of the Political Dialogue and Cooperation Agreement between the European Union and Central America, which should result in the conclusion of future agreements strengthening the San José Dialogue process and expanding it to, inter alia, economic areas, migration and the campaign against international terrorism,

Recognizing the progress made in the elimination of anti-personnel mines from Central American territory, as well as the need to rehabilitate and reintegrate mine victims in their communities in order to restore normal conditions for the full development of the region,

1. *Takes note with satisfaction* of the report of the Secretary-General;[124]

2. *Notes* the significant reduction in the last two years of the non-reimbursable international assistance and cooperation extended to the Alliance for the Sustainable Development of Central America, as indicated in the report of the Secretary-General;

3. *Supports* the decision of the Central American Governments to promote in a harmonious and balanced way the sustained economic, social, cultural, environmental and political development of its member States and the development of the region as a whole through programmes which help to consolidate democracy and resolve social inequalities and extreme poverty;

4. *Reiterates* the importance of supporting and strengthening the efforts of the Central American countries in the implementation of the Regional Mechanism of Coordination of Mutual Assistance in Case of Disasters and the Regional Plan for Disaster Reduction as well as the implementation of the Strategic Framework for the Reduction of Vulnerability and Disasters in Central America[125] and, in particular, of taking measures for the prevention and mitigation of damage, with special emphasis on the most vulnerable groups and sectors;

5. *Requests* the Secretary-General, the organs, organizations and programmes of the United Nations system and all States, international financial institutions and regional and subregional organizations, as appropriate, to continue providing the support needed to attain the objectives of the programme for the sustainable development of Central America, including those which are being pursued within the framework of the Quinquennium for the Reduction of Vulnerability to and the Impact of Natural Disasters in Central America;

6. *Notes with appreciation* the revision of the subregional cooperation programme in Central America of the United Nations Development Programme, launched in 1996, and of the national programmes of other United Nations agencies and other humanitarian agencies on the basis of the priorities established in the regional development strategy for the transformation and modernization of Central America, contained in the initiatives of the Puebla-Panama Plan;

7. *Encourages* the Governments and disaster-related organizations of Central America to continue implementing the International Strategy for Disaster Reduction in order to reduce the vulnerability to hazards, and urges the international community to contribute to these efforts, including, as appropriate, through cooperation and technical assistance;

8. *Notes with satisfaction* the renewal, in December 2002, of the commitment by the bilateral and the multilateral development organizations to the Meso-American Biological Corridor as one of the pillars for sustainable development comprising the conservation of natural resources, economic competitiveness and efforts to alleviate poverty, which is being developed with assistance from the United Nations Development Programme's own funds, the Global Environment Facility through the World Bank, the United Nations Environment Programme, the Inter-American Development Bank, the German Agency for Technical Cooperation and the United States Agency for International Development;

9. *Recognizes* the efforts and achievements relating to mine clearance in Central America, and calls upon the relevant organs of the United Nations system, the Organization of American States, as well as the international community, to continue providing the material, technical and financial support needed by the Central American Governments to complete mine-clearance, mine-awareness and victim assistance activities in the region, in conformity with the relevant resolutions of the United Nations and the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction;[126]

10. *Requests* the Secretary-General to report to the General Assembly at its sixtieth session on the implementation of the present resolution as part of a consolidated report under the item entitled "The situation in Central America: progress in fashioning a region of peace, freedom, democracy and development".

RESOLUTION 58/118

Adopted at the 75th plenary meeting, on 17 December 2003, without a vote, on the basis of draft resolution A/58/L.43 and Add.1, sponsored by: Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Bangladesh, Bolivia, Brazil, Bulgaria, Cameroon, Canada, Chile, China, Colombia, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Guyana, Haiti, Honduras, Hungary, India, Ireland, Italy, Japan, Kazakhstan, Lithuania, Luxembourg, Madagascar, Malta,

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[124] A/58/286.

[125] See A/54/630, annex.

[126] See CD/1478.

Monaco, Mongolia, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Panama, Paraguay Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Vincent and the Grenadines, Serbia and Montenegro, Slovakia, South Africa, Spain, Sweden, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay

58/118. Participation of volunteers, "White Helmets", in the activities of the United Nations in the field of humanitarian relief, rehabilitation and technical cooperation for development

The General Assembly,

Reaffirming its resolutions 50/19 of 28 November 1995, 52/171 of 16 December 1997, 54/98 of 8 December 1999 and 56/102 of 14 December 2001,

Reaffirming also its resolutions 46/182 of 19 December 1991, 47/168 of 22 December 1992, 48/57 of 14 December 1993, 49/139 A and B of 20 December 1994, 50/57 of 12 December 1995 and 51/194 of 17 December 1996 and Economic and Social Council resolutions 1995/56 of 28 July 1995 and 1996/33 of 25 July 1996,

Emphasizing the need to address the strategic planning gap between relief and development activities in the context of humanitarian emergencies, taking into account the internationally agreed development goals, including those contained in the United Nations Millennium Declaration,[127]

Recognizing that the international community, in addressing the growing magnitude and complexity of man-made and natural disasters and chronic situations characterized by hunger, malnutrition and poverty, must rely not only on the formulation of a well-coordinated global response within the framework of the United Nations but also on the promotion of a smooth transition from relief to rehabilitation, reconstruction and development,

Recalling once again that prevention, preparedness and contingency planning for emergencies on a global level depend, for the most part, on the strengthening of local and national response capacities as well as on the availability of financial resources, both domestic and international,

1. *Takes note* of the report of the Secretary-General,[128] prepared in pursuance of its resolution 56/102 on the participation of volunteers, "White Helmets", in the activities of the United Nations in the field of humanitarian relief, rehabilitation and technical cooperation for development;

2. *Recognizes* the value of domestic and regional actions aimed at making pre-identified, standby and trained national volunteer corps such as the White Helmets available to the United Nations system, through the United Nations Volunteers and other agencies, and in accordance with accepted United Nations procedures and practices, in order to provide specialized human and technical resources for emergency relief and rehabilitation;

3. *Expresses its satisfaction* for the progress of the White Helmets initiative as a singular voluntary international effort to provide the United Nations system with voluntary expertise to respond, in a quick and coordinated manner, to United Nations appeals concerning humanitarian relief, rehabilitation, reconstruction and development, while preserving the non-political, neutral and impartial character of humanitarian action;

4. *Encourages* Member States to identify their respective national focal points for the White Helmets in order to continue to provide the United Nations system with an accessible global network of rapid response facilities in case of humanitarian emergencies;

5. *Recognizes with appreciation* the progress made by the States members of the Common Market of the South and its associated partners in strengthening and broadening the regional role of the White Helmets initiative, and encourages Member States in other regional associations to make similar joint efforts;

6. *Encourages* operational partners of the United Nations system, in particular United Nations Volunteers and the United Nations Development Programme, to draw upon the voluntary expertise of the White Helmets, as appropriate, including in their response to chronic situations characterized by hunger, malnutrition and poverty;

7. *Recognizes* that the White Helmets initiative can play an important role in the promotion, diffusion and fulfilment of the decisions achieved in the United Nations Millennium Declaration,[127] and invites Member States in a position to do so to consider means to ensure the integration of the White Helmets initiative into their programme activities and to make the commensurate financial resources available through the special financing window of the Special Voluntary Fund of the United Nations Volunteers, or in coordination with it;

8. *Invites* the Secretary-General, on the basis of the experience acquired, to consider further the potential use of White Helmets as a resource for preventing and mitigating the effects of post-conflict humanitarian emergencies and, in this context, to maintain adequate support for the White Helmets liaison functions, taking into account the ongoing reforms process;

9. *Requests* the Secretary-General to take into consideration the ten years that will have passed since the adoption of its resolution 49/139 B, the first resolution on the White Helmets initiative, and, in view of the success of coordinated actions carried out since then with, inter alia, the United Nations Children's Fund, the World Food Programme,

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[127] See resolution 55/2.

[128] A/58/320.

the Office for the Coordination of Humanitarian Affairs of the Secretariat, the United Nations Development Programme and the United Nations Volunteers, to consider their impact and to analyse possible steps and modalities to enhance the integration of the White Helmets initiative within the work of the United Nations system, suggesting appropriate mechanisms and areas, and to report thereon to the General Assembly at its sixtieth session.

RESOLUTION 58/119

Adopted at the 75th plenary meeting, on 17 December 2003, without a vote, on the basis of draft resolution A/58/L.44 and Add.1, sponsored by: Argentina, Armenia, Austria, Azerbaijan, Belarus, Bulgaria, China, Croatia, Cuba, Czech Republic, Denmark, Estonia, Ethiopia, France, Georgia, Germany, Greece, India, Ireland, Italy, Japan, Kazakhstan, Kyrgyzstan, Latvia, Lithuania, Luxembourg, Malawi, Malta, Monaco, Netherlands, Nigeria, Norway, Panama, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Switzerland, Tajikistan, Turkey, Turkmenistan, Ukraine, Uzbekistan

58/119. Strengthening of international cooperation and coordination of efforts to study, mitigate and minimize the consequences of the Chernobyl disaster

The General Assembly,

Reaffirming its resolutions 45/190 of 21 December 1990, 46/150 of 18 December 1991, 47/165 of 18 December 1992, 48/206 of 21 December 1993, 50/134 of 20 December 1995, 52/172 of 16 December 1997, 54/97 of 8 December 1999 and 56/109 of 14 December 2001, as well as its resolution 55/171 of 14 December 2000 on closure of the Chernobyl nuclear power plant, and taking note of the decisions adopted by the organs, organizations and programmes of the United Nations system in the implementation of those resolutions,

Recalling Economic and Social Council resolutions 1990/50 of 13 July 1990, 1991/51 of 26 July 1991 and 1992/38 of 30 July 1992 and Council decision 1993/232 of 22 July 1993,

Conscious of the long-term nature of the consequences of the disaster at the Chernobyl nuclear power plant, which was a major technological catastrophe in terms of its scope and complexity and created humanitarian, environmental, social, economic and health consequences and problems of common concern, requiring for their solution wide and active international cooperation and coordination of efforts in this field at the international and national levels,

Expressing profound concern at the ongoing effects of the consequences of the accident on the lives and health of people, in particular children, in the affected areas of Belarus, the Russian Federation and Ukraine, as well as in other affected countries,

Acknowledging the importance of the national efforts being undertaken by the Governments of Belarus, the Russian Federation and Ukraine to mitigate and minimize the consequences of the Chernobyl disaster,

Noting with appreciation the contribution made by States and by organizations of the United Nations system to the development of cooperation to mitigate and minimize the consequences of the Chernobyl disaster, the activities of regional and other organizations and those of non-governmental organizations, as well as bilateral activities,

Recognizing the importance of continuing international support to the national efforts of the Governments and civil societies of Belarus, the Russian Federation and Ukraine, as the most affected countries, to mitigate and minimize the persisting negative effects of the Chernobyl disaster on the sustainable development of the affected areas as a result of the radiological, health, socio-economic, psychological and environmental consequences of the disaster,

Welcoming the increased role played by the United Nations Development Programme, the United Nations resident coordinators and the United Nations country teams in Belarus, the Russian Federation and Ukraine in helping to address both the developmental and the humanitarian consequences of the catastrophe,

Taking note of the United Nations report entitled "The Human Consequences of the Chernobyl Nuclear Accident: A Strategy for Recovery", prepared on the basis of an international needs assessment undertaken in mid-2001 in the affected areas of Belarus, the Russian Federation and Ukraine,

Emphasizing the importance of the new developmental approach to tackling the problems caused by the Chernobyl accident, aimed at normalizing the situation of the individuals and communities concerned in the medium and long term,

Stressing the continued need for a response to the exceptional Chernobyl-related needs, in particular in the areas of health, ecology and research, as the transition is made from the emergency to the recovery phase of mitigation of the consequences of the Chernobyl disaster, as mentioned in the United Nations report entitled "The Human Consequences of the Chernobyl Nuclear Accident: A Strategy for Recovery",

Welcoming the launch of the International Chernobyl Research and Information Network, with the aim of supporting the ongoing international, national and civil society efforts towards the sustainable development of the affected territories by compiling, consolidating and coordinating relevant scientific research, commissioning further research where required, and making available and ensuring the effective dissemination of its findings, which should allow informed decision-making on the phases of long-term recovery and management with a view to improving the complex and diverse humanitarian, ecological, economic, social and medical situations in those territories, *Welcoming also* the establishment of the Chernobyl Forum by the International Atomic Energy Agency, with the participation of the Food and Agriculture Organization of the United Nations, the Office for the Coordination of Humanitarian Affairs of the Secretariat, the United Nations Development Programme, the United Nations Environment Programme, the United Nations Scientific Committee on the Effects of Atomic Radiation, the World Health Organization, the World Bank and representatives of the three most affected States,

Welcoming further the coordination of the activities of the International Chernobyl Research and Information Network and the Chernobyl Forum, and efforts to ensure the substantial integration of the Forum's assessment of environmental and health consequences into the Network process,

Taking note of the report of the Secretary-General concerning the implementation of resolution 56/109,[129]

1. *Reaffirms* that the United Nations plays an important catalytic and coordinating role in the strengthening of international cooperation to study, mitigate and minimize the consequences of the Chernobyl disaster, and commends the contribution made by all other relevant multilateral mechanisms to this end;

2. *Welcomes* the further practical measures that have been taken by the Secretary-General and the United Nations Coordinator of International Cooperation on Chernobyl to strengthen coordination of the international efforts in that area, especially the launch of the International Chernobyl Research and Information Network;

3. *Also welcomes* the efforts undertaken by the agencies of the United Nations system and other international organizations members of the Inter-Agency Task Force on Chernobyl to implement a new developmental approach to studying, mitigating and minimizing the consequences of the Chernobyl disaster, in particular through the development of specific projects, and requests the Inter-Agency Task Force to continue its activities to that end, including through coordinating efforts in the field of resource mobilization;

4. *Acknowledges* the difficulties faced by the most affected countries in minimizing the consequences of the Chernobyl disaster, and invites States, in particular donor States and all relevant agencies, funds and programmes of the United Nations system, in particular the Bretton Woods institutions, as well as non-governmental organizations, to continue to provide support to the ongoing efforts of Belarus, the Russian Federation and Ukraine to mitigate the consequences of the Chernobyl disaster, including through the allocation of adequate funds to support medical, social, economic and ecological programmes related to the disaster;

5. *Takes note with satisfaction* of the recent development of the Cooperation for Rehabilitation Programme, aimed at promoting better living conditions in and the sustainable development of the affected territories;

6. *Emphasizes* the important role of the authorities of the affected countries in mitigating the humanitarian and other consequences of the Chernobyl catastrophe, and welcomes the continued efforts of the affected countries in this regard, including the measures taken with a view to facilitating the work of humanitarian organizations, including non-governmental organizations, to mitigate the humanitarian and other consequences of the Chernobyl catastrophe;

7. *Stresses* the need for coordinated international cooperation in studying the consequences of the Chernobyl catastrophe, in particular through effective work of the International Chernobyl Research and Information Network, the Chernobyl Forum, the International Chernobyl Centre for nuclear safety, radioactive waste and radioecology, and other research centres from the most affected countries, and invites Member States and all interested parties to take part in their activities;

8. *Welcomes* the decision of the Council of Heads of State of the Commonwealth of Independent States to proclaim 26 April the International Day Commemorating Victims of Radiation Accidents and Catastrophes in the States members of the Commonwealth;

9. *Invites* Member States to observe this Day and to conduct appropriate activities to commemorate victims of radiation accidents and catastrophes and to enhance public awareness of their consequences for human health and the environment throughout the world;

10. *Requests* the Secretary-General to continue his efforts in the implementation of the relevant General Assembly resolutions and, through existing coordination mechanisms, in particular the United Nations Coordinator of International Cooperation on Chernobyl, to continue to maintain close cooperation with the agencies of the United Nations system, as well as with regional and other relevant organizations, while implementing specific Chernobyl-related programmes and projects;

11. *Also requests* the Secretary-General to consider possible ways to strengthen further the coordination, analytical, advocacy and technical capacities of the United Nations in the field, as well as at Headquarters, as described in the report of the Secretary-General,[129] with due regard to the existing administrative and budgetary capacity of the Organization;

12. *Further requests* the Secretary-General to submit to the General Assembly at its sixtieth session, under a separate sub-item, a report containing a comprehensive assessment of the implementation of all aspects of the present resolution and proposals for innovative measures for optimizing the effectiveness of the response of the international community,

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[129] A/58/332.

including the United Nations, to the Chernobyl disaster, as well as to consider how better to focus international cooperation to achieve a long-term developmental approach for the affected areas, bearing in mind the exceptional Chernobyl-related needs.

RESOLUTION 58/120

Adopted at the 75th plenary meeting, on 17 December 2003, without a vote, on the basis of draft resolution A/58/L.45 and Add.1, as orally revised, sponsored by: Algeria, Angola, Bahrain, Benin, Burkina Faso, Central African Republic, Chad, China, Comoros, Congo, Cuba, Democratic Republic of the Congo, Djibouti, Egypt, Eritrea, Ethiopia, Gabon, Greece, Grenada, Iran (Islamic Republic of), Jordan, Kenya, Kuwait, Lebanon, Madagascar, Malawi, Mali, Mauritania, Mauritius, Morocco, Nepal, Oman, Panama, Rwanda, Saudi Arabia, Senegal, Seychelles, Somalia, South Africa, Sudan, Syrian Arab Republic, Thailand, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Yemen

58/120. Special emergency economic assistance for the recovery and the development of the Comoros

The General Assembly,

Recalling its resolutions 51/30 F of 13 December 1996 and 53/1 F of 16 November 1998 on special emergency economic assistance to the Comoros,

Noting that since 1995, the Comoros has been subjected to several major events, including a secessionist conflict, which created serious political instability and caused economic and social trauma,

Considering that the unfavourable and insular situation of the Comoros, which is among the least developed countries, the decline in the gross domestic product of the country caused by the fall in the prices of its export products, the poverty of its soil, the scarcity of its natural resources and the diminutive size of its domestic market have adverse economic consequences and increase the impoverishment of the population,

Aware of the efforts made by the Government of the Comoros to assist the most affected and deprived sectors of the population and to reallocate to that end, as a matter of great urgency, the major part of the budget required for the functioning of the State,

1. *Welcomes* the signing of the Fomboni Agreement of February 2001, which created prospects for a peaceful resolution of the separatist crisis;

2. *Reaffirms its support* for South Africa, the African Union, the International Organization of la Francophonie and other countries of the region in the mediation efforts to resolve the Comorian crisis;

3. *Welcomes* the recommendations contained in the statement signed by the Friends of the Comoros in Paris on 29 October 2003 and the declaration of the Indian Ocean Commission issued in Moroni on 30 October 2003;

4. *Urges* the Government of the Comoros and the governments of the autonomous islands to pursue the efforts under way, to accelerate the organization of legislative elections and to establish the remaining national institutions as stipulated by the Constitution;

5. *Reaffirms* that the primary responsibility for the well-being of the people and the development of the economy rests firmly with the Government of the Comoros and the governments of the autonomous islands;

6. *Expresses its appreciation* to all States and to all the international organizations concerned, including United Nations bodies and specialized agencies, for the assistance they have provided for the relief of the Comoros;

7. *Stresses* that the financial resources available remain nonetheless insufficient vis-à-vis the most basic needs for ensuring the humanitarian, economic and political recovery of the country;

8. *Requests* Member States, international organizations and other relevant organizations of the United Nations system, in the event of an agreement between the Comoros and the authorities of the autonomous islands, and while awaiting the finalization of the Fomboni Agreement by early 2004, to direct their financial and technical assistance towards assisting the most affected sectors of the population during and after the transition period, achieving reconstruction and sustainable development and enabling the country to re-engage with the international financial institutions;

9. *Requests* the Secretary-General to make efforts to mobilize Member States, relevant United Nations specialized agencies and other organizations in order to provide the Comoros with necessary financial, economic and technical assistance, particularly in debt forgiveness, in order to enable it to fully implement the Fomboni Agreement, particularly to organize legislative elections;

10. *Also requests* the Secretary-General, in collaboration with all relevant United Nations departments and specialized agencies, as well as international organizations already working in the Comoros, to gather relevant information and assess the needs of the country and the possible assistance from the international community;

11. *Further requests* the Secretary-General to report to the General Assembly at its fifty-ninth session on the implementation of the present resolution.

RESOLUTION 58/121

Adopted at the 75th plenary meeting, on 17 December 2003, without a vote, on the basis of draft resolution A/58/L.46 and Add.1, sponsored by: Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Belize, Benin, Bolivia, Brazil, Brunei Darussalam, Cambodia, Canada, Cape Verde, Chile, Comoros, Costa Rica, Cuba, Denmark, Djibouti, Dominica, Ecuador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Germany, Greece, Guinea, Guinea-

Bissau, India, Indonesia, Ireland, Italy, Japan, Jordan, Kuwait, Lithuania, Luxembourg, Madagascar, Malaysia, Mali, Malta, Mauritius, Mongolia, Mozambique, Nauru, Nepal, Netherlands, New Zealand, Niger, Norway, Panama, Papua New Guinea, Paraguay, Portugal, Republic of Korea, Samoa, Sao Tome and Principe, Senegal, Seychelles, Singapore, Slovakia, Somalia, South Africa, Spain, Sweden, Switzerland, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay

58/121. Assistance for humanitarian relief, rehabilitation and development for Timor-Leste

The General Assembly,

Recalling all of its relevant resolutions on the situation in Timor-Leste,

Recalling also all of the relevant Security Council resolutions and decisions on the situation in Timor-Leste, in particular resolutions 1473 (2003) of 4 April 2003 and 1480 (2003) of 19 May 2003, acknowledging the ongoing crucial role of the United Nations Mission of Support in East Timor and the leadership of the Special Representative of the Secretary-General in assisting the people of Timor-Leste,

Recognizing the essential role played by the international community, including the United Nations, other intergovernmental organizations, Member States and non-governmental organizations, in supporting the nation-building process of Timor-Leste,

Acknowledging the progress made in the transition from relief and rehabilitation to development in Timor-Leste, while noting continuing vulnerabilities, including the need to strengthen the preparedness and response capacity of the Government of Timor-Leste for addressing humanitarian emergencies, and the significant challenges of rehabilitation, reconstruction and development, in particular in the initial years of independence,

Emphasizing the need for continued international assistance to support the development of Timor-Leste in, inter alia, the education, health, agriculture, infrastructure, judicial, public administration and law enforcement sectors,

Welcoming the efforts of the Government of Indonesia and relevant intergovernmental and non-governmental organizations in providing humanitarian assistance to the refugees of Timor-Leste in the Indonesian province of East Nusa Tenggara, in facilitating their return to and reintegration in Timor-Leste or in assisting with their local integration and resettlement, as appropriate, in Indonesia,

1. *Welcomes* the report of the Secretary-General;[130]

2. *Also welcomes* the commitment of the international community to meet the external requirements for rehabilitation, reconstruction and development activities for Timor-Leste;

3. *Urges* the United Nations, other intergovernmental organizations, Member States and non-governmental organizations to continue to support the Government and the people of Timor-Leste in their endeavours towards self-sustainable nation-building and in facing the remaining vulnerabilities and challenges, such as nationwide capacity-building in all sectors, national reconciliation and the voluntary return of the remaining refugees to Timor-Leste, and sustainable development;

4. *Acknowledges* that a transparent, effective and functioning democratic governmental administration is crucial to fostering a stable and secure social, economic and political environment in Timor-Leste, and in this regard urges the international community to continue to support efforts aimed at institution-building and the training of civil servants, in particular in the areas of public finances and senior management and in the development and maintenance of central and local administrative systems of government;

5. *Also acknowledges* the need to expedite the development of the justice sector of Timor-Leste, and in this regard urges further international support in the areas of law enforcement, the judiciary and the prison system;

6. *Welcomes* the continuing response of the international community to the need for food aid, and calls upon the United Nations, other intergovernmental organizations, Member States and non-governmental organizations to assist Timor-Leste in ensuring sustainable development in the areas of agriculture, livestock and fisheries;

7. *Welcomes with appreciation* the assistance provided by Member States, the Office for the Coordination of Humanitarian Affairs of the Secretariat, the World Food Programme and all other international and non-governmental organizations in response to the appeals by the Government of Timor-Leste during the floods and drought;

8. *Takes note with appreciation* of the progress made in rehabilitating infrastructure, and recommends that outstanding infrastructure needs remain a focus of international assistance in such areas as the reconstruction and rehabilitation of public buildings, educational facilities, roads and public services;

9. *Commends* the continuous international response in providing health services to the general population, including the early deployment of immunization and disease prevention programmes and reproductive health-care and child nutrition programmes, while recognizing the need for further assistance to rebuild hospitals, train health-care professionals and enhance capacity-building to meet the challenges to public health posed by such diseases as tuberculosis, malaria and HIV/AIDS;

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[130] A/58/280.

10. *Welcomes* the progress made in the rehabilitation of schools, the supply and distribution of educational materials and teacher training, while emphasizing the need for capacity-building, particularly in the area of secondary and higher education, and for continued attention to the rehabilitation needs, including psychosocial support, of children affected by violence;

11. *Also welcomes* the growing participation of the women of Timor-Leste in all aspects of society, and encourages further efforts to address gender issues, including the needs for research, services and appropriate legislation in order to combat domestic violence and other gender-related crimes;

12. *Further welcomes* the continuing efforts made by the Commission for Reception, Truth and Reconciliation to facilitate national reconciliation and the return of refugees to Timor-Leste;

13. *Welcomes* the commitment and contribution made by the Government of Indonesia and by the international community to the Special Fund established for former employees and pensioners of the Government of Indonesia in Timor-Leste and the progress made by the United Nations Development Programme in disbursing funds from the Special Fund, and encourages the international community to consider increasing its contributions;

14. *Also welcomes* the holding, in Dili in September 2003, of the second meeting of the Joint Ministerial Commission for Bilateral Cooperation between Indonesia and Timor-Leste, which emphasized the importance of good relations and of further enhancing and facilitating cooperation in all areas of common interest;

15. *Requests* the Secretary-General to submit a report on the implementation of the present resolution to the General Assembly for consideration at its sixtieth session.

RESOLUTION 58/122

Adopted at the 75th plenary meeting, on 17 December 2003, without a vote, on the basis of draft resolution A/58/L.47 and Add.1, sponsored by: Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Canada, Chile, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malawi, Malta, Monaco, Netherlands, New Zealand, Norway, Panama, Poland, Portugal, Republic of Korea, Romania, Serbia and Montenegro, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Ukraine, United Kingdom of Great Britain and Northern Ireland

58/122. Safety and security of humanitarian personnel and protection of United Nations personnel

The General Assembly,

Reaffirming its resolution 46/182 of 19 December 1991 on strengthening of the coordination of humanitarian emergency assistance of the United Nations,

Recalling its resolutions 53/87 of 7 December 1998, 54/192 of 17 December 1999, 55/175 of 19 December 2000, 56/217 of 21 December 2001 and 57/155 of 16 December 2002 on safety and security of humanitarian personnel and protection of United Nations personnel, as well as resolutions 52/167 of 16 December 1997 on safety and security of humanitarian personnel and 52/126 of 12 December 1997 on protection of United Nations personnel, and Economic and Social Council resolution 2003/5 of 15 July 2003,

Welcoming the adoption by the Security Council of resolution 1502 (2003) of 26 August 2003 on the safety and security of humanitarian personnel and United Nations and its associated personnel,

Taking note of the reports of the Secretary-General on the protection of civilians in armed conflict[131] and of Security Council resolutions 1265 (1999) of 17 September 1999 and 1296 (2000) of 19 April 2000 and the recommendations made therein, as well as the statements by the President of the Council of 30 November 1999, on the role of the Council in the prevention of armed conflicts,[132] 13 January 2000, on humanitarian assistance to refugees in Africa,[133] 9 February 2000, on protection of United Nations personnel, its associated personnel and humanitarian personnel in conflict zones,[134] 9 March 2000, on humanitarian aspects of issues before the Council,[135] and 15 March 2002, on the aide-memoire for the consideration of issues pertaining to the protection of civilians in armed conflict,[136] and noting in that context the range of views expressed during all open debates of the Council on these issues,

Reaffirming the need to promote and ensure respect for the principles and rules of international humanitarian law,

Concerned by the increasingly difficult context in which humanitarian assistance takes place in some areas, in particular the continuous erosion, in many cases, of respect for the principles and rules of international humanitarian law,

Deeply concerned by the dangers and security risks faced by humanitarian personnel and United Nations and its associated personnel at the field level, and mindful of the need to improve the current security management system in order to improve their safety and security,

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[131] S/2001/331 and S/2002/1300.

[132] S/PRST/1999/34; see *Resolutions and Decisions of the Security Council, 1999.*

[133] S/PRST/2000/1; see *Resolutions and Decisions of the Security Council, 2000.*

[134] S/PRST/2000/4; see *Resolutions and Decisions of the Security Council, 2000.*

[135] S/PRST/2000/7; see *Resolutions and Decisions of the Security Council, 2000.*

[136] S/PRST/2002/6; see *Resolutions and Decisions of the Security Council, 1 January 2001–31 July 2002.*

Gravely concerned at the acts of violence in many parts of the world against humanitarian personnel and United Nations and its associated personnel, in particular deliberate attacks, which are in violation of international humanitarian law as well as other international law that may be applicable,

Expressing profound regret at the deaths of all international and national humanitarian personnel and United Nations and its associated personnel who were involved in the provision of humanitarian assistance, and strongly deploring the rising toll of casualties among such personnel in complex humanitarian emergencies, in particular in armed conflicts and in post-conflict situations,

Commending the courage and commitment of those who take part, often at great personal risk, in humanitarian operations, especially of locally recruited staff,

Strongly condemning acts of murder and other forms of violence, rape and sexual assault, intimidation, armed robbery, abduction, hostage-taking, kidnapping, harassment and illegal arrest and detention to which those participating in humanitarian operations are increasingly exposed, as well as attacks on humanitarian convoys and acts of destruction and looting of their property,

Emphasizing that there are existing prohibitions under international law against attacks knowingly and intentionally directed against personnel involved in a humanitarian assistance or peacekeeping mission undertaken in accordance with the Charter of the United Nations, which in situations of armed conflicts constitute war crimes,

Recalling the inclusion of attacks intentionally directed against personnel involved in a humanitarian assistance or peacekeeping mission in accordance with the Charter as a war crime in the Rome Statute of the International Criminal Court,[137] which entered into force on 1 July 2002, and noting the role that the Court could play in appropriate cases in bringing to justice those responsible for serious violations of international humanitarian law,

Expressing concern that the occurrence of attacks and threats against humanitarian personnel and United Nations and its associated personnel is a factor that increasingly restricts the ability of the Organization to provide assistance and protection to civilians in fulfilment of its mandate under the Charter,

Recalling that primary responsibility under international law for the security and protection of humanitarian personnel and United Nations and its associated personnel lies with the Government hosting a United Nations operation conducted under the Charter or its agreements with relevant organizations,

Urging all other parties involved in armed conflicts, in compliance with international humanitarian law, in particular their obligations under the Geneva Conventions of 12 August 1949[138] and the obligations applicable to them under the Additional Protocols thereto, of 8 June 1977,[139] to ensure the security and protection of all humanitarian personnel and United Nations and its associated personnel,

Bearing in mind that reaching the vulnerable is essential for providing adequate protection and assistance in the context of natural disasters and complex emergencies as well as for strengthening local capacity to cope with humanitarian needs in such contexts,

Welcoming the fact that the Convention on the Safety of United Nations and Associated Personnel,[140] which entered into force on 15 January 1999, has been ratified or acceded to by sixty-nine States as at the present date, and mindful of the need to promote universality of the Convention,

Reaffirming the need to ensure adequate levels of safety and security for United Nations personnel and humanitarian personnel and a culture of accountability at all levels,

Reaffirming also that ensuring the safety and security of United Nations personnel constitutes an underlying duty of the Organization, which must be based on a necessary cost-sharing arrangement with the relevant agencies, funds and programmes within the United Nations system,

Guided by the relevant provisions on protection contained in the Convention on the Privileges and Immunities of the United Nations of 13 February 1946,[141] the Convention on the Privileges and Immunities of the Specialized Agencies of 21 November 1947,[142] the Convention on the Safety of United Nations and Associated Personnel, the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949[143] and the Additional Protocols to the Geneva Conventions, and Amended Protocol II of 3 May 1996[144] to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects of 10 October 1980,[145]

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[137] See *Official Records of the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court, Rome, 15 June–17 July 1998*, vol. I: *Final documents* (United Nations publication, Sales No. E.02.I.5), sect. A.

[138] United Nations, *Treaty Series*, vol. 75, Nos. 970–973.

[139] Ibid., vol. 1125, Nos. 17512 and 17513.

[140] Resolution 49/59, annex.

[141] Resolution 22 A (I).

[142] Resolution 179 (II).

[143] United Nations, *Treaty Series*, vol. 75, No. 973.

[144] CCW/CONF.I/16 (Part I), annex B.

[145] See *The United Nations Disarmament Yearbook*, vol. 5: 1980 (United Nations publication, Sales No. E.81.IX.4), appendix VII.

1. *Welcomes* the report of the Secretary-General,[146] while noting that it does not cover developments after 30 June 2003;

2. *Urges* all States to take the necessary measures to ensure the full and effective implementation of the relevant principles and rules of international law, including international humanitarian law, as well as the relevant provisions of human rights and refugee law related to the safety and security of humanitarian personnel and United Nations personnel;

3. *Also urges* all States to take the necessary measures to ensure the safety and security of humanitarian personnel and United Nations and its associated personnel and to respect and ensure respect for the inviolability of United Nations premises, which are essential to the continuation and successful implementation of United Nations operations;

4. *Calls upon* all other parties involved in armed conflicts, in compliance with international humanitarian law, in particular their obligations under the 1949 Geneva Conventions[138] and the obligations applicable to them under the Additional Protocols thereto,[139] to ensure the safety and protection of humanitarian personnel and United Nations and its associated personnel, to refrain from abducting or detaining them in violation of their immunity under relevant conventions referred to in the present resolution and applicable international humanitarian law, and speedily to release, without harm, any abductee or detainee;

5. *Calls upon* all Governments and parties in complex humanitarian emergencies, in particular in armed conflicts and in post-conflict situations, in countries in which humanitarian personnel are operating, in conformity with the relevant provisions of international law and national laws, to cooperate fully with the United Nations and other humanitarian agencies and organizations and to ensure the safe and unhindered access of humanitarian personnel in order to allow them to perform efficiently their task of assisting the affected civilian population, including refugees and internally displaced persons;

6. *Strongly condemns* any act or failure to act, contrary to international law, which obstructs or prevents humanitarian personnel and United Nations personnel from discharging their humanitarian functions, or which entails being subjected to threats, the use of force or physical attack, frequently resulting in injury or death, and affirms the need to hold accountable those who commit such acts and, for that purpose, the need to enact national legislation, as appropriate;

7. *Expresses deep concern* that, over the past decade, threats against the safety and security of humanitarian personnel and United Nations and its associated personnel have escalated at an unprecedented rate and that perpetrators of acts of violence seemingly operate with impunity;

8. *Strongly urges* all States to take stronger actions to ensure that any threat or act of violence committed against humanitarian personnel and United Nations and its associated personnel on their territory is investigated fully and to ensure that the perpetrators of such acts are brought to justice in accordance with international law and national law, and notes the need for States to end impunity for such acts;

9. *Calls upon* all States to consider becoming parties to and to respect fully their obligations under the relevant international instruments, in particular the Convention on the Safety of United Nations and Associated Personnel;[140]

10. *Also calls upon* all States to consider becoming parties to the Rome Statute of the International Criminal Court;[137]

11. *Further calls upon* all States to consider becoming parties to and to respect fully their obligations under the Convention on the Privileges and Immunities of the United Nations[141] and the Convention on the Privileges and Immunities of the Specialized Agencies,[142] which have been ratified so far by one hundred and forty-eight States and one hundred and eight States, respectively;

12. *Calls upon* all States to provide adequate and prompt information in the event of the arrest or detention of humanitarian personnel or United Nations and its associated personnel, to afford them the necessary medical assistance and to allow independent medical teams to visit and examine the health of those detained, and urges them to take the necessary measures to ensure the speedy release of United Nations and other personnel carrying out activities in fulfilment of the mandate of a United Nations operation who have been arrested or detained in violation of their immunity, in accordance with the relevant conventions referred to in the present resolution and applicable international humanitarian law;

13. *Reaffirms* the obligation of all humanitarian personnel and United Nations and its associated personnel to observe and respect the national laws of the country in which they are operating, in accordance with international law and the Charter of the United Nations;

14. *Requests* the Secretary-General to take the necessary measures to ensure full respect for the human rights, privileges and immunities of United Nations and other personnel carrying out activities in fulfilment of the mandate of a United Nations operation, and to continue to consider ways and means to strengthen the protection of United Nations and other personnel carrying out activities in fulfilment of the mandate of a United Nations operation, notably by seeking the inclusion, in negotiations of headquarters and other mission agreements concerning United Nations and its associated personnel, of the applicable conditions contained in the Convention on the Privileges and Immunities of the United Nations, the

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[146] A/58/344.

Convention on the Privileges and Immunities of the Specialized Agencies and the Convention on the Safety of United Nations and Associated Personnel;

15. *Recommends* that the Secretary-General continue to seek the inclusion of, and that host countries include, key provisions of the Convention on the Safety of United Nations and Associated Personnel, among others, those regarding the prevention of attacks against members of the operation, the establishment of such attacks as crimes punishable by law and the prosecution or extradition of offenders, in future as well as, if necessary, in existing status-of-forces, status-of-mission and host country agreements negotiated between the United Nations and those countries, mindful of the importance of the timely conclusion of such agreements;

16. *Takes note with appreciation* of the work being done by the Ad Hoc Committee established in accordance with resolution 56/89 of 12 December 2001, which will be reconvened in accordance with resolution 58/82 of 9 December 2003, with a mandate to expand the scope of legal protection under the Convention on the Safety of United Nations and Associated Personnel, including by means of a legal instrument;

17. *Welcomes* the ongoing initiatives undertaken by the Secretary-General following the publication of the report of the Independent Panel on the Safety and Security of United Nations Personnel in Iraq headed by Martti Ahtisaari, and requests the Secretary-General to continue his efforts in this regard as a matter of the highest priority, and to inform the General Assembly accordingly;

18. *Requests* the Secretary-General to take the necessary measures to ensure that United Nations and other personnel carrying out activities in fulfilment of the mandate of a United Nations operation are properly informed about the conditions under which they are called upon to operate, including relevant customs and traditions in the host country, and the standards that they are required to meet, including those contained in relevant domestic and international law, and that adequate training in security, human rights and international humanitarian law is provided so as to enhance their security and effectiveness in accomplishing their functions, and reaffirms the necessity for all other humanitarian organizations to provide their personnel with similar support;

19. *Also requests* the Secretary-General to take the necessary measures to ensure that United Nations and other personnel carrying out activities in fulfilment of the mandate of a United Nations humanitarian assistance operation are properly informed about and operate in conformity with the minimum operating security standards and relevant codes of conduct;

20. *Further requests* the Secretary-General to take the necessary measures, falling within his responsibilities, to promote and enhance the security consciousness within the organizational culture of the Secretariat and the United Nations agencies, funds and programmes, including by disseminating and enhancing the security procedures and regulations, to create awareness and consciousness by the United Nations personnel of those procedures and regulations and the need to follow them, and to ensure that security matters are an integral part of the planning for existing and newly mandated United Nations operations and that such precautions extend to all United Nations and its associated personnel;

21. *Welcomes* the ongoing efforts of the Secretary-General to further enhance the security management system of the United Nations, and in this regard invites the United Nations and other humanitarian organizations to strengthen the analysis of threats to their safety and security in order to minimize security risks and to facilitate informed decisions on the maintenance of an effective presence in the field, inter alia, to fulfil their humanitarian mandate;

22. *Emphasizes* the need to give further consideration to the safety and security of locally recruited humanitarian personnel, who account for the majority of casualties;

23. *Also emphasizes* the importance of paying special attention to the safety and security of United Nations and its associated personnel engaged in United Nations peacekeeping and peace-building operations;

24. *Stresses* the need to ensure that all United Nations staff members receive adequate security training, including physical and psychological training, prior to their deployment to the field, the need to attach a high priority to the improvement of stress and trauma counselling services available to United Nations staff members, including through the implementation of a comprehensive security and stress and trauma management training, support and assistance programme for United Nations staff throughout the system, before, during and after missions, and the need to make available to the Secretary-General the means for that purpose;

25. *Recognizes* the need for a strengthened and unified security management system for the United Nations, both at the headquarters and the field levels, and requests the United Nations system, as well as Member States, to take all appropriate measures to that end;

26. *Requests* the Office of the United Nations Security Coordinator to continue to play a central role in promoting increased cooperation and collaboration among agencies, funds and programmes in the planning and implementation of measures aimed at improving staff security training and awareness and in strengthening the Inter-Agency Security Management Network, and calls upon all relevant United Nations agencies, funds and programmes to support these efforts;

27. *Recognizes* the need for enhanced coordination and cooperation, both at the headquarters and the field levels, between the United Nations security management system and non-governmental organizations on matters relating to the safety and security of humanitarian personnel and United

Nations and its associated personnel, with a view to addressing mutual security concerns in the field;

28. *Underlines* the need to allocate adequate and predictable resources to the safety and security of United Nations personnel, including through the Consolidated Appeals Process, and encourages all States to contribute to the Trust Fund for Security of Staff Members of the United Nations System;

29. *Recalls* the essential role of telecommunication resources in facilitating the safety of humanitarian personnel and United Nations and its associated personnel, calls upon States to consider acceding to or ratifying the Tampere Convention on the Provision of Telecommunication Resources for Disaster Mitigation and Relief Operations of 18 June 1998, and encourages them to facilitate and expedite, consistent with their national laws and regulations, the use of communications equipment in such operations, and emphasizes the importance of States facilitating communications, inter alia, through limiting and, whenever possible, lifting the restrictions placed on the use of communications equipment by United Nations and its associated personnel;

30. *Requests* the Secretary-General to submit to the General Assembly at its fifty-ninth session a comprehensive and updated report on the safety and security situation of humanitarian personnel and protection of United Nations personnel and on the implementation of the present resolution, including the progress made by the Secretary-General in pursuing accountability and assessing responsibility for all individual security incidents that involve United Nations and its associated personnel at all levels throughout the United Nations system, as well as an account of the measures taken by Governments and the United Nations to prevent and respond to such incidents.

RESOLUTION 58/123

Adopted at the 75th plenary meeting, on 17 December 2003, by a recorded vote of 169 to 1, with no abstentions,* on the basis of draft resolution A/58/L.31/Rev.1 and Add.1, sponsored by: Angola, Austria, Belgium, Benin, Burkina Faso, Cameroon, Central African Republic, Chad, Comoros, Congo, Côte d'Ivoire, Democratic Republic of the Congo, Denmark, Djibouti, Egypt, Eritrea, Ethiopia, Finland, France, Gabon, Germany, Greece, Guinea-Bissau, India, Ireland, Italy, Lesotho, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Mali, Mauritania, Morocco, Mozambique, Namibia, Netherlands, Nigeria, Portugal, Senegal, South Africa, Sudan, Swaziland, Sweden, Togo, United Republic of Tanzania, Zambia

[*] *In favour:* Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Belarus, Belgium, Belize, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burundi, Cambodia, Canada, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: Rwanda

Abstaining: None

58/123. Special assistance for the economic recovery and reconstruction of the Democratic Republic of the Congo

The General Assembly,

Recalling its previous resolutions on special assistance for the economic recovery and reconstruction of the Democratic Republic of the Congo,

Recalling also all resolutions of the Security Council and the statements by its President regarding the Democratic Republic of the Congo,

Reaffirming the sovereignty, territorial integrity and political independence of the Democratic Republic of the Congo and all States in the region,

Gravely concerned at the dire humanitarian, economic and social situation in the Democratic Republic of the Congo, and at the effects on the inhabitants of the continued fighting in the eastern part, resulting in the continuing plight of the civilian population, and calling for its protection, taking into account the particular needs of women and girls,

Deeply concerned at the HIV/AIDS pandemic, and at its disproportionate effect on women and girls,

Expressing its deep concern at the dire consequences of the conflict for the humanitarian and human rights situations in the country, and at the continuing lack of sufficient access to vulnerable people,

Gravely concerned by the continued illegal exploitation of the natural resources of the Democratic Republic of the Congo as a source of further conflict, and reaffirming in this regard its commitment to respect the sovereignty of the Democratic Republic of the Congo over its natural resources, *Gravely concerned also* at the negative impact of war on the promotion of sustainable development in the Democratic Republic of the Congo and the Great Lakes region,

Deeply concerned about the continued extensive destruction of life and property, as well as the severe damage to infrastructure and the environment suffered by the Democratic Republic of the Congo,

Bearing in mind the fact that the Democratic Republic of the Congo hosts thousands of refugees from neighbouring countries, which places a great burden on its limited resources, and expressing the hope that conditions will be created that facilitate a safe and voluntary return of refugees,

Recalling that the Democratic Republic of the Congo is a least developed country with severe economic and social problems arising from its weak economic infrastructure and aggravated by the ongoing conflict,

Bearing in mind the close interrelationship between ensuring peace and security and the ability of the country to meet the humanitarian needs of its people and to take effective steps towards the rapid revitalization of the economy, and reaffirming the urgent need to assist the Democratic Republic of the Congo in the rehabilitation and reconstruction of its damaged economy and in its efforts to restore basic services and the infrastructure of the country,

1. *Takes note* of the report of the Secretary-General;[147]

2. *Welcomes* the conclusion of the Global and All-Inclusive Agreement on the Transition in the Democratic Republic of the Congo, signed in Pretoria on 17 December 2002 and the subsequent establishment of the Government of National Unity and Transition, and encourages the effective establishment of all transitional institutions;

3. *Also welcomes* the declaration of Principles on Good-Neighbourly Relations and Cooperation between the Democratic Republic of the Congo and Burundi, Rwanda and Uganda,[148] which marked the successful conclusion of the high-level meeting held on 25 September 2003 under the auspices of the Secretary-General;

4. *Further welcomes* the efforts of the Republic of South Africa, the Republic of Angola, and all the Central African countries, as well as the important role of the Secretary-General, in facilitating the adoption of these agreements;

5. *Urges* all parties concerned in the region to cease military activities and to cease any support for armed groups, and rather to use their influence to support the transition and bring all within the dynamic of the transition;

6. *Strongly condemns* the acts of violence, including the latest massacres in Ituri, systematically perpetrated against civilians, including the massacres, as well as other atrocities and violations of international humanitarian law and human rights, in particular sexual violence against women and girls, stresses the need to bring to justice those responsible, including those at the command level, and urges all parties, including the Government of the Democratic Republic of the Congo, to take all necessary steps to prevent further violations of human rights and international humanitarian law, in particular those committed against civilians;

7. *Welcomes* the work of the Interim Emergency Multinational Force in Bunia led by the European Union, and the subsequent efforts of the United Nations Organization Mission in the Democratic Republic of the Congo to help secure the Ituri region;

8. *Recognizes* the importance of an effective withdrawal of all foreign troops from the territory of the Democratic Republic of the Congo;

9. *Urges* all parties concerned in the region to cease any recruitment, training and use of child soldiers, which are contrary to international law, welcomes the initial steps taken by the Government of the Democratic Republic of the Congo to demobilize and reintegrate child soldiers, in particular through education, and urges the Government and all parties to continue their efforts in this context, and to take into account the particular needs of girl ex-combatants;

10. *Invites* donors to strengthen their support for the efforts of the United Nations Organization Mission in the Democratic Republic of the Congo to demobilize and repatriate armed groups currently in the Democratic Republic of the Congo and to encourage the transitional Government and all parties to the conflict to cooperate with the Organization Mission in achieving a climate of security and trust, the support of neighbouring countries in this process being essential;

11. *Emphasizes* that the consolidation of peace and the resumption of economic activity in the Democratic Republic of the Congo are inextricably linked, and calls for further international economic assistance in this regard;

12. *Encourages* the Government of the Democratic Republic of the Congo to pursue the implementation of economic reforms aimed at stabilizing the macroeconomic framework so that conditions for sustainable growth can be created;

13. *Urges* all parties to fully respect international humanitarian law and to ensure the safe and unhindered access of humanitarian personnel to all affected populations throughout the territory of the Democratic Republic of the Congo and the safety of United Nations and humanitarian personnel;

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[147] A/58/273.

[148] A/58/428-S/2003/983, annex.

14. *Calls upon* the international community to increase its support for humanitarian relief activities within the Democratic Republic of the Congo;

15. *Urges* all parties to permit free and unhindered movement of the population, which is essential, inter alia, to the resumption of economic activities;

16. *Expresses its deep concern* especially at the very serious, dire humanitarian situation in Ituri, and calls on all Congolese parties on the ground to cooperate fully, in general, with the institutions of the transition, and, in particular, with the Ituri Pacification Commission;

17. *Also expresses its deep concern* over the dire humanitarian situation throughout the country and the very high number of internally displaced persons in the eastern part and, in particular, in the Ituri region, and urges all parties to avoid further population displacement and to facilitate the safe and voluntary return of refugees and internally displaced persons to their places of origin;

18. *Stresses* the importance of the restoration of river traffic, welcomes in this regard the reopening of the Congo and Oubangui Rivers, and expresses its support for the establishment of a Congo River Basin Commission;

19. *Calls* for the reopening of the Kisangani-Kindu rail and river link to facilitate the delivery of humanitarian assistance, as well as the resupply access for humanitarian personnel;

20. *Encourages* the continued cooperation of the Government of the Democratic Republic of the Congo with the United Nations, the specialized agencies, international financial institutions and other organizations, including non-governmental organizations, in addressing the need for rehabilitation and reconstruction, and welcomes in this regard their renewed dialogue and cooperation;

21. *Renews its urgent appeal* to the executive boards of the United Nations funds and programmes to continue to keep under consideration the special needs of the Democratic Republic of the Congo, and stresses the need to mainstream an appropriate gender perspective within overall reconstruction efforts;

22. *Welcomes* the inclusion of the Democratic Republic of the Congo in the Heavily Indebted Poor Countries Initiative;

23. *Urges* the Government of the Democratic Republic of the Congo to implement national comprehensive strategies to monitor and manage external liabilities, embedded in the domestic preconditions for debt sustainability, including sound macroeconomic and public resource management;

24. *Welcomes* initiatives that have been undertaken to reduce outstanding indebtedness, and invites further national and international measures in that direction, including, as appropriate, debt cancellation and other arrangements;

25. *Invites* the development partners to cover the funding shortfall of the Emergency Multisectoral Rehabilitation and Reconstruction Programme and support civil service reform and efforts to reunify the country;

26. *Invites* Governments to continue providing support to the Democratic Republic of the Congo;

27. *Requests* the Secretary-General:

(*a*) To ensure through his Special Representative for the Democratic Republic of the Congo, who convenes the International Committee in Support of the Transition, the coordination of all the activities of the United Nations system in the Democratic Republic of the Congo and the facilitation of the coordination with other national and international actors of activities in support of the transition, and welcomes to that effect the adoption of new coordination mechanisms aimed at ensuring a coherent and effective response to the multifaceted humanitarian crisis in the Democratic Republic of the Congo;

(*b*) To continue to consult with regional leaders, in coordination with the President of the African Union, about ways to bring about a peaceful and durable solution to the conflict;

(*c*) To continue to consult with regional leaders, in coordination with the President of the African Union, in order to prepare an international conference on peace, security and development in Central Africa and in the Great Lakes region, under the auspices of the United Nations and the African Union, to address the problems of the region in a comprehensive manner;

(*d*) To keep under review the humanitarian and economic situation in the Democratic Republic of the Congo with a view to promoting participation in and support for a programme of financial and material assistance to the country to enable it to meet urgent needs in terms of economic recovery and reconstruction;

(*e*) To submit to the General Assembly at its fifty-ninth session a report on the actions taken pursuant to the present resolution.

RESOLUTION 58/124

Adopted at the 75th plenary meeting, on 17 December 2003, without a vote, on the basis of draft resolution A/58/L.11/Rev.2 and Add.1, sponsored by: Argentina, Azerbaijan, Belarus, Bolivia, Canada, China, Cuba, Cyprus, Egypt, France, Greece, Guatemala, Italy, Japan, Kuwait, Lebanon, Mongolia, New Zealand, Republic of Korea, Republic of Moldova, Russian Federation, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Tunisia, Ukraine, Uruguay, Zambia

58/124. United Nations Year for Cultural Heritage, 2002

The General Assembly,

Recalling the international conventions dealing with the protection of cultural and natural heritage, including the

Convention for the Protection of Cultural Property in the Event of Armed Conflict adopted at The Hague in 1954[149] and the two Protocols thereto, the 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property,[150] and the 1972 Convention for the Protection of the World Cultural and Natural Heritage,[151] as well as the 1989 Recommendation on the Safeguarding of Traditional Culture and Folklore[152] and the 2001 Universal Declaration on Cultural Diversity of the United Nations Educational, Scientific and Cultural Organization,[153]

Welcoming the ratification of the Convention for the Protection of the World Cultural and Natural Heritage by one hundred and seventy-six States parties, and noting the inscription of seven hundred and fifty-four sites on the World Heritage List,

Noting the adoption of the Convention on the Protection of the Underwater Cultural Heritage by the General Conference of the United Nations Educational, Scientific and Cultural Organization on 2 November 2001,[154]

Mindful of the importance of protecting the world cultural tangible and intangible heritage as a common ground for the promotion of mutual understanding and enrichment among cultures and civilizations,

Noting the work already undertaken to protect the world cultural and natural heritage by the United Nations Educational, Scientific and Cultural Organization, including international campaigns,

Recalling its resolutions 56/8 of 21 November 2001, in which it proclaimed 2002 the United Nations Year for Cultural Heritage, and 57/158 of 16 December 2002, in which it declared the Year concluded,

1. *Notes* the activities of the United Nations Educational, Scientific and Cultural Organization undertaken during the United Nations Year for Cultural Heritage;

2. *Takes note with appreciation* of the adoption of the Convention for the Safeguarding of the Intangible Cultural Heritage by the General Conference of the United Nations Educational, Scientific and Cultural Organization at its thirty-second session, on 17 October 2003;[155]

3. *Welcomes* the adoption of the Declaration concerning the Intentional Destruction of Cultural Heritage by the General Conference of the United Nations Educational, Scientific and Cultural Organization on 17 October 2003;[156]

4. *Invites* the United Nations Educational, Scientific and Cultural Organization, in collaboration with Member States, observers, relevant United Nations bodies, within their respective mandates, other international organizations and relevant non-governmental organizations, to continue to intensify the implementation of programmes, activities and projects aimed at the promotion and protection of the world cultural heritage;

5. *Invites* Member States and observers to continue to promote education and raise public awareness so as to foster respect for national and world cultural heritage.

RESOLUTION 58/125

Adopted at the 75th plenary meeting, on 17 December 2003, without a vote, on the basis of the report of the Credentials Committee (A/58/625)

58/125. Credentials of representatives to the fifty-eighth session of the General Assembly

The General Assembly,

Having considered the report of the Credentials Committee[157] and the recommendation contained therein,

Approves the report of the Credentials Committee.

RESOLUTION 58/126

Adopted at the 76th plenary meeting, on 19 December 2003, without a vote, on the basis of draft resolution A/58/L.49/Rev.1, as orally revised, submitted by the President of the General Assembly

58/126. Revitalization of the work of the General Assembly

The General Assembly,

Recalling its previous resolutions relating to the revitalization of its work,[158]

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[149] United Nations, *Treaty Series*, vol. 249, No. 3511.

[150] Ibid., vol. 823, No. 11806.

[151] Ibid., vol. 1037, No. 15511.

[152] United Nations Educational, Scientific and Cultural Organization, *Records of the General Conference, Twenty-fifth Session, Paris, 17 October–16 November 1989*, vol. 1: *Resolutions*, annex I.B.

[153] Ibid., *Thirty-first Session, Paris, 15 October–3 November 2001*, vol. 1 and corrigendum: *Resolutions*, resolution 25, annex I.

[154] Ibid., resolution 24.

[155] Ibid., *Thirty-second Session, Paris, 29 September–17 October 2003*, vol. 1: *Resolutions*, resolution 32.

[156] Ibid., resolution 33, annex.

[157] A/58/625.

[158] Resolutions 46/77 of 12 December 1991, 47/233 of 17 August 1993, 48/264 of 29 July 1994, 51/193 of 17 December 1996, 51/241 of 31 July 1997, 52/163 of 15 December 1997, 55/14 of 3 November 2000, 55/285 of 7 September 2001, 56/509 of 8 July 2002, 57/300 of 20 December 2002 and 57/301 of 13 March 2003.

Aware of the need to enhance its authority and role and to improve its working methods,

Decides to adopt the text contained in the annex to the present resolution.

Annex

A. Enhancing the authority and role of the General Assembly

In order to enhance the authority and role of the General Assembly, it is decided that:

1. Member States reaffirm the relevant provisions of the Charter of the United Nations and the United Nations Millennium Declaration[159] on the central position of the General Assembly.

2. The Security Council is invited to submit periodically, in accordance with Article 24 of the Charter, special subject-oriented reports to the General Assembly for its consideration on issues of current international concern.

3. The Security Council is invited to continue with initiatives to improve the quality of its annual report to the General Assembly, mandated by Article 24, paragraph 3, of the Charter, in order to provide the Assembly with a substantive, analytical and material account of its work, in accordance with resolution 51/193.

4. In carrying out the assessment of the debate on the annual report of the Security Council called for in resolution 51/241, annex, paragraph 12, the President shall inform the General Assembly of his decision regarding the need for further consideration of the Security Council report, including in respect of the convening of informal consultations, on the need for, and content of, any action by the Assembly based on the debate, as well as on any matters to be brought to the attention of the Security Council.

5. The President of the General Assembly should continue to be briefed regularly by the President of the Security Council on the work of the Council. The President of the Assembly may wish to inform Member States about the substantive issues raised during these meetings.

6. The Presidents of the General Assembly, the Security Council and the Economic and Social Council should meet together periodically with a view to ensuring increased cooperation, coordination and complementarity of the work programmes of the three organs in accordance with their respective responsibilities under the Charter. In this connection, the President of the Security Council may wish to discuss the plans of the Security Council for thematic debates with the President of the General Assembly and the President of the Economic and Social Council. The President of the Assembly will inform Member States about the outcome of these meetings.

7. In June of each year, the President-elect of the General Assembly, after taking into account the views provided by Member States and following consultations with the incumbent President and the Secretary-General, will suggest an issue, or issues, of global concern upon which Member States will be invited to comment during the general debate at the forthcoming session of the Assembly. The views provided by Member States should also be summarized and circulated to Member States. Such suggestions regarding the issue(s) for comment will be without prejudice to the sovereign right of Member States to solely and entirely determine the content of their general debate statements.

8. The work and decisions of the General Assembly should be better publicized. Accordingly, the support provided by the Department of Public Information of the Secretariat for these purposes should be intensified and strengthened. The Secretary-General is requested to present a plan to this end, within existing resources, to the next session of the Committee on Information, so that recommendations can be made to the Assembly.

9. Member States and the Secretariat should consider initiatives that might be taken for better monitoring of the follow-up of resolutions of the General Assembly, such as the provision of timely inputs for reports of the Secretary-General and giving effect to proposals that would advance the follow-up of major United Nations conferences and summits.

10. The resources available to the Office of the President of the General Assembly in personnel and other support shall be augmented from within existing resources, bearing in mind the provisions of paragraph 22 of the annex to resolution 55/285. Five additional posts shall be made available to supplement current support, of which three shall be filled on an annual basis, following consultations with the incoming President, beginning at the fifty-ninth session of the Assembly.

11. Transitional office accommodation and other support shall be provided to the President-elect of the General Assembly. The Secretary-General is requested to make the necessary arrangements for the provision of such support, within existing resources, beginning with the President-elect of the fifty-ninth session of the Assembly.

B. Improving the working methods of the General Assembly

The working methods of the General Assembly need to be further rationalized in order to improve its efficiency and effectiveness and to make its outcomes more productive. Towards this end:

1. The General Committee shall meet throughout the session and further improve its working methods to increase its

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[159] See resolution 55/2.

efficiency and effectiveness. It will play the leading role in advising the General Assembly on the efficient organization, coordination and management of its work. In this connection, the Assembly will also consider proposals to reform the General Committee.

2. The work of the Main Committees of the General Assembly might benefit if it is scheduled over two substantive periods during the session. The rescheduling of the work of the Main Committees should not lead to additional costs, additional or longer meetings, or staggered work schedules of the Main Committees. With a view to enabling the Assembly to consider changes in this regard, with effect from the sixtieth session of the Assembly, the Secretary-General is requested to present, by 1 February 2004, various options for consideration by the General Committee, taking into account the requirements of the relevant intergovernmental bodies and the different locations of their meetings and the budget cycle. The General Committee shall hold open-ended discussions on the options presented by the Secretary-General before making recommendations to the Assembly for its decision by 1 July 2004.

3. The General Assembly will consider convening more interactive debates. At the beginning of each session, the General Committee, following recommendations from the President of the General Assembly, shall recommend to the Assembly a programme of, and format for, interactive debates during that session on items on its agenda.

4. With a view to better conceptualization of the content of the agenda of the General Assembly, the Secretary-General is requested to submit to the Assembly, for its consideration by 1 March 2004, an illustrative agenda of the Assembly, based on all the agenda items of the fifty-eighth session, organized around the priorities of the Organization for the period 2002–2005.[160] The General Committee shall hold open-ended discussions on the illustrative agenda before making recommendations on the matter to the Assembly for its decision by 1 July 2004.

5. It would be advantageous for the General Assembly to have a shorter agenda to ensure the fullest discussion of all issues, so that its decisions may have greater impact. Accordingly, the President of the General Assembly at its fifty-eighth session, in consultation with the Secretary-General, and following consultations with concerned Member States, is requested to make proposals for the further biennialization, triennialization, clustering and elimination of items of the customary agenda of the Assembly for the consideration of the General Committee by 1 April 2004. The General Committee shall hold open-ended discussions on the proposals before making recommendations on the matter to the Assembly for its decision by 1 July 2004.

6. General Assembly resolutions should be more concise, focused and action-oriented. Where practical, more actions taken by the Assembly should be in the form of decisions. Preambular paragraphs in resolutions of the Assembly should normally be kept to the minimum.

7. The heavy volume of documentation that is submitted to the General Assembly for its consideration should be reduced. In this regard, the Secretary-General is requested to continue his efforts to make proposals to Member States for the consolidation of reports on related subjects in accordance with the provisions of paragraph 20 of resolution 57/300. The proposals on a shorter agenda should be accompanied by related proposals for a reduction in the volume of documentation.

8. The Main Committees of the General Assembly are bound by the rules of procedure of the General Assembly, although they have different practices and working methods. With a view to identifying best practices and working methods, and recognizing the ongoing efforts of the Main Committees to streamline their work, the Secretary-General, drawing on the experience of previous Chairmen of the Main Committees, is requested to submit a historical and analytical note on the practices and working methods of the Main Committees for the consideration of the General Committee by 1 April 2004. The General Committee shall hold open-ended discussions on the note before making recommendations on the matter to the Assembly for its decision by 1 July 2004.

9. In accordance with paragraph 2 (*a*) and (*c*) of resolution 56/509, the General Assembly elects the President of the Assembly, the Vice-Presidents of the Assembly, and the Chairmen of the Main Committees at least three months before the opening of the session in which they will serve. In order to foster better advance planning and preparation of the work of the Main Committees, the full Bureaux of the Main Committees shall similarly be elected three months in advance of the next session.

RESOLUTION 58/127

Adopted at the 76th plenary meeting, on 19 December 2003, without a vote, on the basis of draft resolution A/58/L.50 and Add.1, as orally revised, sponsored by: Andorra, Argentina, Armenia, Australia, Austria, Belgium, Bolivia, Brazil, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Liechtenstein, Lithuania, Luxembourg, Mali, Malta, Mexico, Monaco, Mozambique, Netherlands, New Zealand, Nigeria, Panama, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Senegal, Serbia and Montenegro, Slovakia, Slovenia, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Tunisia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Zambia

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[160] For the priorities of the Organization for the period 2002–2005:

(*a*) Maintenance of international peace and security;

(*b*) Promotion of sustained economic growth and sustainable development in accordance with the relevant resolutions of the General Assembly and recent United Nations conferences;

(*c*) Development of Africa;

(*d*) Promotion of human rights;

(*e*) Effective coordination of humanitarian assistance efforts;

(*f*) Promotion of justice and international law;

(*g*) Disarmament;

(*h*) Drug control, crime prevention and combating international terrorism in all its forms and manifestations,

see paragraph 26 of the introduction to the medium-term plan for the period 2002–2005 (*Official Records of the General Assembly, Fifty-fifth Session, Supplement No. 6* (A/55/6/Rev.1)) adopted in resolution 55/234.

58/127. Assistance in mine action

The General Assembly,

Recalling its resolution 57/159 of 16 December 2002 and all its previous resolutions on assistance in mine clearance and mine action, all adopted without a vote,

Recognizing that, in addition to the primary role of States, the United Nations has a significant role to play in the field of assistance in mine action, and considering mine action to be an important and integrated component of United Nations humanitarian and development activities,

Reaffirming its deep concern at the tremendous humanitarian and development problems caused by the presence of mines and other unexploded ordnance that constitute an obstacle to the return of refugees and other displaced persons, to humanitarian aid operations and to reconstruction and economic development, as well as to the restoration of normal social conditions, and that have serious and lasting social and economic consequences for the populations of mine-affected countries,

Bearing in mind the serious threat that mines and other unexploded ordnance pose to the safety, health and lives of local civilian populations, as well as of personnel participating in humanitarian, peacekeeping and rehabilitation programmes and operations,

Encouraged by the reduction in the number of new mine victims, but reiterating its dismay at the existing high number of victims of mines and other unexploded ordnance, especially among civilian populations, including women and children, and recalling in this context its resolution 57/190 of 18 December 2002 and Commission on Human Rights resolutions 2003/49 of 23 April 2003, on the human rights of persons with disabilities, and 2003/86 of 25 April 2003, on the rights of the child,[161]

Deeply alarmed by the number of mines that continue to be laid each year, as well as the presence of a decreasing but still very large number of mines and other unexploded ordnance as a result of armed conflicts, and therefore remaining convinced of the necessity and urgency of a significant increase in mine-clearance efforts by the international community with a view to eliminating the threat of landmines to civilians as soon as possible,

Noting the inclusion in Amended Protocol II[162] to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects[163] of a number of provisions of importance for mine-clearance operations, notably the requirement of detectability, and provision of information and technical and material assistance necessary to remove or otherwise render ineffective minefields, mines and booby traps, and noting also that Amended Protocol II to the Convention entered into force on 3 December 1998,

Noting also the conclusions and recommendations adopted at the Fourth[164] and Fifth[165] Annual Conferences of the States Parties to Amended Protocol II to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, held in Geneva on 11 December 2002 and on 26 November 2003, respectively,

Noting further the new additional Protocol to address the post-conflict impact of explosive remnants of war adopted by the Meeting of States Parties to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, held in Geneva on 27 and 28 November 2003,[166] and noting the agreement reached on mandates for further work by the same Meeting,

Noting that additional States have ratified or acceded to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction,[167] which entered into force on 1 March 1999, bringing the total number of States that have formally accepted the obligations therein to one hundred and forty-one,

Noting also the conclusions of the Fifth Meeting of the States Parties to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction, held in Bangkok from 15 to 19 September 2003,[168] taking note of the reaffirmed commitments that were made by the States parties in the Bangkok Declaration,[169] among other things, to pursue efforts related to the core humanitarian objectives of the Convention, urging all States parties and relevant organizations to participate actively in the work of the intersessional programme established by States parties to the Convention, and taking note also that the First Review Conference, to which the Secretary-General will be invited, will be held in Nairobi, from 29 November to 3 December 2004,

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[161] See *Official Records of the Economic and Social Council, 2003, Supplement No. 3* (E/2003/23), chap. II, sect. A.

[162] CCW/CONF.I/16 (Part I), annex B.

[163] See *The United Nations Disarmament Yearbook*, vol. 5: 1980 (United Nations publication, Sales No. E.81.IX.4), appendix VII.

[164] CCW/AP.II/CONF.4/3 (Part I), sect. IV.

[165] See CCW/AP.II.CONF.5/2.

[166] CCW/GGE/VI/2, annex II.

[167] See CD/1478.

[168] See APLC/MSP.5/2003/5.

[169] Ibid., part II.

Stressing the need to convince mine-affected States to halt new deployments of anti-personnel mines in order to ensure the effectiveness and efficiency of mine-clearance operations,

Stressing also the pressing need to urge non-State actors to halt immediately and unconditionally new deployments of mines and other associated explosive devices,

Recognizing the importance of assisting mine clearance in mine-affected countries by ensuring that the necessary maps and information and appropriate technical and material assistance are provided to help to remove existing minefields, mines, booby traps and other unexploded ordnance,

Noting that the resources allocated to mine-action activities have increased in recent years, but stressing the need to mobilize additional resources and to secure the best possible utilization of such resources, particularly for victim assistance, in order to meet increasing requirements, and encouraging all States, the United Nations and other international, regional and non-governmental and private organizations to continue their efforts in this regard,

Concerned at the limited availability of safe and cost-effective mine-detection and mine-clearance equipment, as well as the need for effective global coordination in research and development to improve relevant technologies, and conscious of the need to promote further and more rapid progress in this field and to foster international, national and local technical cooperation to that end,

Reaffirming the need to reinforce cooperation and coordination in the area of mine action at all levels and to devote the necessary resources to that end, including resources to support national and regional capacity-building initiatives, where applicable, and the work of the United Nations in this regard,

Noting with appreciation the finalization of an emergency response plan by the United Nations to respond to emergency mine-action requirements,

Welcoming the various established mine-action coordination centres, as well as the creation and existence of international trust funds for mine-action activities,

Noting with satisfaction the inclusion in the mandates of several peacekeeping operations of provisions relating to mine-action work carried out under the direction of the Department of Peacekeeping Operations of the Secretariat, in the context of such operations,

Commending the action taken by donor and recipient Governments, the United Nations system, regional organizations, the International Committee of the Red Cross and non-governmental organizations to coordinate their efforts and seek solutions to the problems related to the presence of mines and other unexploded ordnance, as well as their assistance to victims of mines,

Welcoming the role of the Secretary-General in increasing public awareness of the problem of landmines,

1. *Welcomes* the report of the Secretary-General on assistance in mine action[170] and the recommendations contained therein, and takes note with appreciation of the revised mine-action strategy contained in the addendum to the report;[171]

2. *Calls*, in particular, for the continuation of the efforts of States, with the assistance of the United Nations and relevant organizations involved in mine action, as appropriate, to foster the establishment and development of national mine-action capacities in countries in which mines and other unexploded ordnance constitute a serious threat to the safety, health and lives of the local population or an impediment to social and economic development efforts at the national and local levels, and urges all Member States, in particular those that have the capacity to do so, to assist mine-affected countries in the establishment and development of national capacities in mine action;

3. *Invites* Member States to develop and support national programmes, where appropriate, in cooperation with the relevant bodies of the United Nations system and relevant regional, governmental and non-governmental organizations, to reduce the risks posed by landmines and other unexploded ordnance, including among women and children;

4. *Expresses its appreciation* to Governments, regional organizations and other donors for their financial and in-kind contributions to mine action, including contributions for emergency operations, peacekeeping operations and for national and local capacity-building programmes;

5. *Encourages* efforts to conduct mine action in accordance with accepted national and international standards, including International Mine Action Standards, and also encourages all States involved in mine action, including troop-contributing countries conducting mine action in peacekeeping operations, to follow these standards, as applicable;

6. *Emphasizes* the importance of using an information management system, such as the Information Management System for Mine Action, in full coordination with the United Nations Mine Action Service and with the instrumental support of the Geneva International Centre for Humanitarian Demining;

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[170] A/58/260.

[171] A/58/260/Add.1.

7. *Appeals* to Governments, regional organizations and other donors to continue and, whenever possible, increase their support to mine action through reliable, predictable and timely contributions, including contributions through the Voluntary Trust Fund for Assistance in Mine Action as well as to national mine-action efforts and humanitarian mine-action programmes of non-governmental organizations, to allow for the timely delivery of mine-action assistance, and stresses that such assistance should be integrated into broader humanitarian, development and other strategies;

8. *Stresses* the importance of international support for emergency assistance to victims of mines and other unexploded ordnance and for the care, rehabilitation and social and economic reintegration of the victims, and also stresses that such assistance should be integrated into broader public health and socio-economic strategies;

9. *Encourages* all relevant multilateral and national programmes and bodies to include, in coordination with the United Nations, activities related to mine action in their humanitarian, rehabilitation, reconstruction and development assistance activities, where appropriate, bearing in mind the need to ensure national and local ownership, sustainability and capacity-building;

10. *Encourages* Member States, the United Nations system, international and regional organizations and relevant non-governmental organizations to take further action to mainstream a gender perspective and integrate gender and age-appropriate considerations in all aspects of mine-action programming, particularly including programmes to reduce the number of child victims and relieve their plight;

11. *Stresses* the importance of cooperation and coordination in mine action, while emphasizing once again the important role of the United Nations in the effective coordination of mine-action activities, based on the United Nations policy on mine action and effective coordination,[172] and especially the role of the Mine Action Service, stresses also the important role that national authorities and regional organizations can play in this regard, as well as the important role of relevant non-governmental organizations, and underlines the need for the continuous assessment of these roles by the General Assembly;

12. *Emphasizes* the role of the Mine Action Service as the focal point for mine action within the United Nations system and its ongoing collaboration with and coordination of all mine-related activities of the United Nations agencies, funds and programmes, and in this regard expresses its appreciation of the roles played by other bodies of the United Nations system, in accordance with United Nations mine-action policy;

13. *Urges* Member States and regional, governmental and non-governmental organizations and foundations to continue to extend full assistance and cooperation to the Secretary-General and, in particular, to provide him with information and data, as well as other appropriate resources that could be useful in strengthening the coordination role of the United Nations in mine action;

14. *Takes note with appreciation* of the Mine Action Guidelines for Ceasefire and Peace Agreements,[173] requests the Secretary-General to make them widely available to United Nations mediators, moderators, special representatives of the Secretary-General and others, as appropriate, and calls upon all parties to conflict to incorporate provisions on mine action, where relevant, in ceasefire and peace agreements or other relevant arrangements;

15. *Takes note* of the potential that mine action can have as a peace and confidence-building measure in post-conflict situations among concerned parties;

16. *Encourages* the Secretary-General to continue to propose, where appropriate, provisions related to mine action in his recommendations to the Security Council for peacekeeping operations;

17. *Emphasizes* the importance of undertaking further multisectoral assessments and surveys to better define the nature, scope and impact of the landmine and other unexploded ordnance problem in affected countries and to support the establishment of clear priorities and national economic and development plans of action, underlining the need for the participation of populations of mine-affected areas in this regard;

18. *Notes with appreciation* the ongoing development by the United Nations of the International Mine Action Standards, with the assistance of the Geneva International Centre for Humanitarian Demining and other partners in mine action, to support the safe and effective conduct of mine-action activities, and emphasizes the need for an inclusive process to be followed in the development and review of such standards and the importance of developing in mine-affected countries national mine-action standards based on the International Mine Action Standards;

19. *Recognizes* the importance of building national capacities for and ownership of mine-action programmes, encourages the further establishment of national mine-action centres, including those supported by the United Nations Development Programme and the United Nations Children's Fund as well as those established under the auspices of the Mine Action Service in emergency situations, and encourages States to support the activities of those centres and the trust funds

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[172] See A/53/496, annex II.

[173] The Guidelines are available from E-MINE at www.mineaction.org.

established for the coordination of assistance in mine action and the promotion of national ownership;

20. *Requests* the Mine Action Service to continue developing the electronic mine information network as a user-friendly repository of mine-related information and as a means for mine-action programmes to circulate on a regular basis to donors and other partners standard reports on the scope and impact of the mine problem, available mine-action resources and capacities and the progress achieved in the field;

21. *Emphasizes* the importance of recording the location of mines, of retaining all such records and making them available to concerned parties upon cessation of hostilities, and welcomes the strengthening of the relevant provisions in international law;

22. *Calls upon* Member States, especially those that have the capacity to do so, to provide the necessary information and technical, financial and material assistance, as appropriate, and to locate, remove, destroy or otherwise render ineffective minefields, mines, booby traps and other devices, in accordance with international law, as soon as possible;

23. *Urges* Member States and regional, intergovernmental and non-governmental organizations and foundations that have the ability to do so to provide, as appropriate, technological assistance to mine-affected countries and to promote user-oriented scientific research on and development of mine-action techniques and technology, within reasonable time frames, so that mine-action activities may be carried out more safely and cost-effectively, and also urges them to promote collaboration at all levels in this regard;

24. *Invites* States to explore the possibility of strengthening internationally negotiated and non-discriminatory legal instruments that address landmines and other unexploded ordnance, as well as their victims;

25. *Takes note with appreciation* of the ongoing efforts of the Secretary-General to increase public awareness of the impact of the problem of landmines and unexploded ordnance;

26. *Requests* the Secretary-General to submit to the General Assembly at its fifty-ninth session a report on the progress achieved on all relevant issues outlined both in his previous reports to the Assembly on assistance in mine action and in the present resolution, including the progress made by the International Committee of the Red Cross and other international and regional organizations as well as national programmes, and on the operation of the Voluntary Trust Fund for Assistance in Mine Action and other mine-action programmes, as well as a report on the first implementation of the emergency response plan and lessons learned from this experience and on the implementation of the strategy for the period 2001–2005;[171]

27. *Decides* to include in the provisional agenda of its fifty-ninth session the item entitled "Assistance in mine action".

RESOLUTION 58/128

Adopted at the 76th plenary meeting, on 19 December 2003, without a vote, on the basis of draft resolution A/58/L.52 and Add.1, sponsored by: Afghanistan, Algeria, Azerbaijan, Bangladesh, China, Djibouti, Egypt, Georgia, Iran (Islamic Republic of), Jordan, Kazakhstan, Kuwait, Malaysia, Morocco, Pakistan, Philippines, Qatar, Sudan, Tunisia

58/128. Promotion of religious and cultural understanding, harmony and cooperation

The General Assembly,

Reaffirming the purposes and principles enshrined in the Charter of the United Nations and the Universal Declaration of Human Rights,[174]

Underlining the importance of promoting understanding, tolerance and friendship among human beings in all their diversity of religion, belief, culture and language, and recalling that all States have pledged themselves under the Charter to promote and encourage universal respect for and observance of human rights and fundamental freedoms for all, without distinction as to race, sex, language or religion,

Affirming that inter-religious dialogue is an integral part of the efforts to translate shared values, as reflected in the United Nations Millennium Declaration,[175] into actions, in particular the efforts to promote a culture of peace and dialogue among civilizations,

Recalling its resolution 57/6 of 4 November 2002, in which it invited Member States to expand their activities promoting a culture of peace and non-violence at the national, regional and international levels,

Recalling also its other relevant resolutions,

Recalling with satisfaction the proclamation of the Global Agenda for Dialogue among Civilizations,[176] bearing in mind the valuable contribution that dialogue among civilizations can make to an improved awareness and understanding of the common values shared by all humankind,

Recalling the Universal Declaration on Cultural Diversity of the United Nations Educational, Scientific and Cultural Organization[177] and the principles contained therein,

Emphasizing the need, at all levels of society and among nations, for strengthening freedom, justice, democracy, tolerance, solidarity, cooperation, pluralism, respect for diversity of culture and religion or belief, dialogue and understanding, which are important elements for peace,

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[174] Resolution 217 A (III).

[175] See resolution 55/2.

[176] Resolution 56/6.

[177] United Nations Educational, Scientific and Cultural Organization, *Records of the General Conference, Thirty-first Session, Paris, 15 October–3 November 2001*, vol. 1: *Resolutions*, chap. V, resolution 25, annex I.

Reaffirming that freedom of expression, media pluralism, multilingualism, equal access to art and to scientific and technological knowledge, including in digital form, and the possibility for all cultures to have access to the means of expression and dissemination are the guarantees of cultural diversity, and that in ensuring the free flow of ideas by word and image, care should be exercised that all cultures can express themselves and make themselves known,

Recognizing all efforts made by the United Nations system to promote understanding, tolerance and friendship among human beings in all their diversity of culture, religion, belief and language,

Alarmed that serious instances of intolerance and discrimination on the grounds of religion or belief, including acts of violence, intimidation and coercion motivated by religious intolerance, are on the increase in many parts of the world and threaten the enjoyment of human rights and fundamental freedoms,

Considering that tolerance for cultural, ethnic, and religious and linguistic diversities, as well as dialogue among and within civilizations, is essential for peace, understanding and friendship among individuals and people of different cultures and nations of the world, while manifestations of cultural prejudice, intolerance and xenophobia towards different cultures and religions generate hatred and violence among peoples and nations throughout the world,

Emphasizing that combating hatred, prejudice, intolerance and stereotyping on the basis of religion or culture represents a significant global challenge that requires further action,

1. *Acknowledges* that respect for the diversity of religions and cultures, tolerance, dialogue and cooperation in a climate of mutual trust and understanding can contribute to the combating of ideologies and practices based on discrimination, intolerance and hatred and help to reinforce world peace, social justice and friendship among peoples;

2. *Reaffirms* the solemn commitment of all States to fulfil their obligations to promote universal respect for, and observance and protection of, all human rights and fundamental freedoms for all in accordance with the Charter of the United Nations, other instruments relating to human rights, and international law; the universal nature of these rights and freedoms is beyond question;

3. *Also reaffirms* the importance for all peoples and nations to hold, develop and preserve their cultural heritage and traditions in a national and international atmosphere of peace, tolerance and mutual respect;

4. *Recognizes* that respect for religious and cultural diversity in an increasingly globalizing world contributes to international cooperation, promotes enhanced dialogue among religions, cultures and civilizations, and helps to create an environment conducive to the exchange of human experience;

5. *Also recognizes* that all cultures and civilizations share a common set of universal values;

6. *Further recognizes* that, while the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it is the duty of States, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms;

7. *Reaffirms* that the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities contribute to political and social stability and peace and enrich the cultural diversity and heritage of society as a whole in the States in which such persons live, and urges States to ensure that their political and legal systems reflect the multicultural diversity within their societies and, where necessary, to improve democratic and political institutions, organizations and practices so that they are more fully participatory and avoid the marginalization and exclusion of, and discrimination against, specific sectors of society;

8. *Encourages* Governments to promote, including through education, understanding, tolerance and friendship among human beings in all their diversity of religion, belief, culture and language, which will address the cultural, social, economic, political and religious sources of intolerance, and to apply a gender perspective while doing so, in order to promote understanding, tolerance, peace and friendly relations among nations and all racial and religious groups, recognizing that education at all levels is one of the principal means to build a culture of peace;

9. *Calls upon* all States to exert their utmost efforts to ensure that religious sites are fully respected and protected in compliance with their international obligations and in accordance with their national legislation, and to adopt adequate measures aimed at preventing acts or threats of damage to and destruction of these sites;

10. *Urges* States, in compliance with their international obligations, to take all necessary action to combat incitement to or acts of violence, intimidation and coercion motivated by hatred and intolerance based on culture, religion or belief, which may cause discord and disharmony within and among societies;

11. *Also urges* States to take effective measures to prevent and eliminate discrimination on the grounds of religion or belief in the recognition, exercise and enjoyment of human rights and fundamental freedoms in all fields of civil, economic, political, social and cultural life and to make all efforts to enact or rescind legislation, where necessary, to prohibit any such

discrimination, and to take all appropriate measures to combat intolerance on the grounds of religion or beliefs;

12. *Further urges* States to ensure that, in the course of their official duties, members of law enforcement bodies and the military, civil servants, educators and other public officials respect different religions and beliefs and do not discriminate against persons professing other religions or beliefs, and that any necessary and appropriate education or training is provided;

13. *Welcomes* the efforts of States, relevant entities of the United Nations system and other intergovernmental organizations, civil society, including religion-based and other non-governmental organizations, and the media in developing a culture of peace, and encourages them to continue such efforts, including the promotion of inter-religious and intercultural interaction within and among societies through, inter alia, congresses, conferences, seminars, workshops, research work and related processes;

14. *Requests* the Secretary-General to ensure the widest dissemination of the relevant United Nations material related to the present resolution in as many different languages as possible through the United Nations system, including the United Nations information centres, within available resources;

15. *Also requests* the Secretary-General to present to the General Assembly at its fifty-ninth session a report on the implementation of the present resolution.

RESOLUTION 58/129

Adopted at the 76th plenary meeting, on 19 December 2003, without a vote, on the basis of draft resolution A/58/L.51 and Add.1, sponsored by: Albania, Andorra, Argentina, Armenia, Australia, Austria, Bangladesh, Belarus, Belgium, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Central African Republic, Croatia, Cyprus, Czech Republic, Denmark, Dominica, Ecuador, Estonia, Fiji, Finland, France, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea-Bissau, Hungary, Iceland, India, Iran (Islamic Republic of), Ireland, Israel, Italy, Latvia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Mali, Malta, Marshall Islands, Monaco, Netherlands, New Zealand, Norway, Panama, Papua New Guinea, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Vincent and the Grenadines, San Marino, Serbia and Montenegro, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sweden, Switzerland, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Trinidad and Tobago, Tunisia, Turkey, Tuvalu, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uzbekistan

58/129. Towards global partnerships

The General Assembly,

Recalling its resolutions 55/215 of 21 December 2000 and 56/76 of 11 December 2001,

Reaffirming the vital role of the United Nations, in particular the General Assembly, in the promotion of partnerships in the context of globalization,

Underlining the intergovernmental nature of the United Nations,

Reaffirming its resolve to create an environment, at the national and global levels alike, that is conducive to sustainable development and the elimination of poverty,

Recalling the objectives formulated in the United Nations Millennium Declaration,[178] particularly in regard to developing partnerships through the provision of greater opportunities to the private sector, non-governmental organizations and civil society in general so as to enable them to contribute to the realization of the goals and programmes of the Organization, in particular in the pursuit of development and the eradication of poverty,

Underlining the importance of the contribution of the private sector, non-governmental organizations and civil society in general to the implementation of the outcomes of United Nations conferences in the economic, social and related fields,

Recalling the central role and responsibility of Governments in national and international policy-making,

Stressing that efforts to meet the challenges of globalization could benefit from enhanced cooperation between the United Nations and all relevant partners, in particular the private sector, in order to ensure that globalization becomes a positive force for all,

Underlining the fact that cooperation between the United Nations and all relevant partners, in particular the private sector, shall serve the purposes and principles embodied in the Charter of the United Nations and make concrete contributions to the realization of the goals contained in the Millennium Declaration and in the outcomes of major United Nations conferences and summits and their reviews, in particular in the area of development and the eradication of poverty, and shall be undertaken in a manner that maintains the integrity, impartiality and independence of the Organization,

Emphasizing that all relevant partners, in particular the private sector, can contribute in several ways to addressing the obstacles confronted by developing countries in mobilizing the resources needed to finance their sustainable development, and to the realization of the development goals of the United Nations through, inter alia, financial resources, access to technology, management expertise, and support for programmes, including through the reduced pricing of drugs, where appropriate, for the prevention, care and treatment of HIV/AIDS and other diseases,

Encouraging the private sector to engage as reliable and consistent partners in the development process and to take into account not only the economic and financial, but also the developmental, social, human rights, gender and environmental implications of their undertakings and, in general, towards accepting and implementing the principle of good corporate citizenship, that is, bringing social values and responsibilities to bear on a conduct and policy premised on profit incentives, in conformity with national laws and regulations,

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[178] See resolution 55/2.

Recalling that the International Conference on Financing for Development welcomed all efforts to encourage good corporate citizenship and noted the initiative undertaken in the United Nations to promote global partnerships,[179]

Noting that the World Summit on Sustainable Development, in order to promote the effective implementation of Agenda 21 at the international level, encouraged partnership initiatives for implementation by all relevant stakeholders to support the outcome of the Summit,[180]

Also noting that the Economic and Social Council, in its resolution 2003/61 of 25 July 2003, reiterated, upon the recommendation of the Commission on Sustainable Development at its eleventh session,[181] that partnerships for sustainable development, as voluntary multi-stakeholder initiatives, contribute to the implementation of Agenda 21[182] and the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation"),[183]

Further noting that the Economic and Social Council, in its resolution 2003/15 of 21 July 2003, endorsed the conclusion adopted by the Commission for Social Development at its forty-first session[184] that, at the international level, recent initiatives towards building voluntary partnerships for social development should be encouraged,

Taking note of the work of the United Nations on partnerships, such as the Global Compact Initiative launched by the Secretary-General, the Information and Communication Technologies Task Force and the United Nations Fund for International Partnerships, and welcoming the establishment of a multitude of partnerships at the field level, entered into by various United Nations agencies, non-State partners and Member States, such as the United Nations Public-Private Alliance for Rural Development,

Stressing that partnerships should focus on the achievement of concrete results,

1. *Takes note* of the report of the Secretary-General;[185]

2. *Stresses* that the principles and approaches that govern such partnerships should be built on the firm foundation of United Nations purposes and principles, as set out in the Charter of the United Nations, and invites the United Nations system to continue to adhere to a common and systematic approach to partnership which, without imposing undue rigidity in partnership agreements, includes the following principles: common purpose, transparency, bestowing no unfair advantages upon any partner of the United Nations, mutual benefit and mutual respect, accountability, respect for the modalities of the United Nations, striving for balanced representation of relevant partners from developed and developing countries and countries with economies in transition, sectoral and geographic balance, and not compromising the independence and neutrality of the United Nations system in general and the agencies in particular;

3. *Encourages* the relevant United Nations bodies and agencies, and invites the Bretton Woods institutions, as well as the World Trade Organization, to continue to explore possibilities of enhancing the use of partnerships to better implement their goals and programmes, in particular in the pursuit of development and the eradication of poverty, bearing in mind the different mandates, modes of operation and objectives of the bodies and agencies, as well as the particular roles of the non-State partners involved;

4. *Recalls* that the Johannesburg Plan of Implementation[183] designated the Commission on Sustainable Development to serve as a focal point for discussions on partnerships that promote sustainable development, and in this context reaffirms the criteria and guidelines for partnerships in the context of the World Summit on Sustainable Development process and its follow-up, as set out by the Economic and Social Council in its resolution 2003/61;

5. *Stresses* the importance of the contribution of voluntary partnerships to the achievement of the internationally agreed development goals, including those contained in the United Nations Millennium Declaration,[178] while reiterating that they are a complement to but not intended to substitute for the commitments made by Governments with a view to achieving these goals;

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[179] See *Report of the International Conference on Financing for Development, Monterrey, Mexico, 18–22 March 2002* (United Nations publication, Sales No. E.02.II.A.7).

[180] See *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum).

[181] See *Official Records of the Economic and Social Council, Supplement No. 9* (E/2003/29), chap. I, sect. A.

[182] *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3–14 June 1992* (United Nations publication, Sales No. E.93.I.8 and corrigenda), vol. I: *Resolutions adopted by the Conference*, resolution 1, annex II.

[183] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 2, annex.

[184] See *Official Records of the Economic and Social Council, Supplement No. 6* (E/2003/26), chap. I, sect. B.

[185] A/58/227.

6. *Also stresses* that partnerships should be consistent with national laws, national development strategies and plans, as well as the priorities of countries where their implementation takes place, bearing in mind the relevant guidance provided by Governments;

7. *Calls upon* all bodies within the United Nations system that engage in partnerships to ensure the integrity and independence of the Organization and to include information on partnerships in their regular reporting, as appropriate, on their web sites and through other means;

8. *Stresses* that partnerships should be designed and implemented in a transparent and accountable manner, and in that regard calls upon partners to provide to and exchange relevant information with Governments, other stakeholders and the relevant United Nations agencies and bodies and other international organizations in which they engage, in an appropriate way, including through reports, with particular attention to the importance of sharing among partnerships information on their practical experience;

9. *Requests* the Secretary-General to continue to promote the transparency and accountability of partnerships;

10. *Acknowledges* that serving successful partnerships requires specific skills on the part of the Secretariat staff, and calls upon the Secretary-General to continue to support and further to develop such skills, through appropriate training and the sharing of best practices;

11. *Recalls* the relevant paragraph in its resolution 57/300 of 20 December 2002;

12. *Requests* the Secretary-General to report to the General Assembly at its sixtieth session on the implementation of the present resolution.

RESOLUTION 58/233

Adopted at the 78th plenary meeting, on 23 December 2003, without a vote, on the basis of draft resolution A/58/L.17/Rev.1 and Add.1, sponsored by: Austria, Belgium, Canada, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Ireland, Italy, Japan, Lithuania, Luxembourg, Malta, Morocco (on behalf of the States Members of the United Nations that are members of the Group of 77 and China), Netherlands, Portugal, Spain, Sweden, Ukraine, United Kingdom of Great Britain and Northern Ireland

58/233. New Partnership for Africa's Development: progress in implementation and international support

The General Assembly,

Recalling its resolution 57/2 of 16 September 2002 on the United Nations Declaration on the New Partnership for Africa's Development,

Recalling also its resolution 57/7 of 4 November 2002 on the final review and appraisal of the United Nations New Agenda for the Development of Africa in the 1990s[186] and support for the New Partnership for Africa's Development,[187]

Recalling further its resolution 57/297 of 20 December 2002 on the Second Industrial Development Decade for Africa,

Mindful of the Programme of Action for the Least Developed Countries for the Decade 2001–2010,[188] the Declaration of Commitment on HIV/AIDS,[189] the Doha Ministerial Declaration,[190] the Monterrey Consensus of the International Conference on Financing for Development[191] and the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation"),[192]

Noting with appreciation the commitment of the international community in its support of the New Partnership, and welcoming in this regard the outcome of the third Tokyo International Conference on African Development,

Noting with appreciation also that the Group of Eight summit in Evian, France, in June 2003 devoted a significant part of its deliberations to the New Partnership, welcoming in this regard the endorsement of the report on the implementation of the Group of Eight Africa Action Plan, and also welcoming the inaugural meeting, in Paris in November 2003, of the Africa Partnership Forum in support of the New Partnership,

Having considered the report of the Secretary-General entitled "The New Partnership for Africa's Development: first consolidated report on progress in implementation and international support",[193]

1. *Welcomes* the report of the Secretary-General;[193]

2. *Reaffirms its full support* for the implementation of the New Partnership for Africa's Development;[187]

3. *Recognizes* the progress made in the implementation of the New Partnership and regional and international support for the New Partnership;

4. *Also recognizes* that much needs to be done to achieve the objectives of the New Partnership, particularly with regard to economic growth and poverty reduction;

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[186] Resolution 46/151, annex.

[187] A/57/304, annex.

[188] See A/CONF.191/13, chap. II.

[189] Resolution S-26/2, annex.

[190] A/C.2/56/7, annex.

[191] *Report of the International Conference on Financing for Development, Monterrey, Mexico, 18–22 March 2002* (United Nations publication, Sales No. E.02.II.A.7), chap. I, resolution 1, annex.

[192] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 2, annex.

[193] A/58/254.

5. *Reaffirms* that the international community, Africa and its development partners should further cooperate with one another to achieve the objectives and priorities of the New Partnership, on the basis of the principles of ownership and partnership;

6. *Calls upon* Member States and the international community, and invites the United Nations system, to enhance their support for the implementation of the New Partnership, in accordance with its principles, objectives and priorities;

I

Action by African countries and organizations

7. *Notes with satisfaction* efforts made by the African countries in fulfilling their commitments, in implementation of the New Partnership for Africa's Development, to deepen democracy, human rights, good governance and sound economic management, and encourages African countries to continue to strengthen their efforts in this regard by developing and strengthening institutions for governance and the development of the region;

8. *Welcomes* the efforts of African countries in the management and resolution of conflicts in the region, in particular their determination to establish a Peace and Security Council within the African Union, African mediation in a number of conflicts and the efforts of the African Union and African regional organizations to develop their capabilities for peace-support operations;

9. *Takes note* of the adoption of the Memorandum of Understanding on the African Peer Review Mechanism, signed in Abuja on 9 March 2003, and welcomes in this regard the progress made with respect to the Mechanism, in particular the accession of a number of States members of the African Union and the appointment of the panel of eminent persons, and encourages other States members of the African Union to accede to the Mechanism as well;

10. *Welcomes* the priorities identified in the New Partnership and the progress made in the development of programmes in the areas of agricultural development, environment and infrastructure development, as well as the ongoing work in the areas of health and education and science and technology;

11. *Also welcomes* the efforts of African countries to fulfil their commitments to promote gender equality, the empowerment of women and the mainstreaming of gender perspectives in the implementation of the New Partnership;

12. *Further welcomes* the adoption by the African Union in Maputo, on 12 July 2003, of the Convention on the Prevention and Combating of Corruption;[194]

13. *Encourages* African countries to take further concrete steps to deepen the process of integrating the priorities of the New Partnership into their national development plans and frameworks, including poverty reduction strategies, where they exist, to mobilize public and political support for the New Partnership, to develop sound programmes in the designated priority areas of the New Partnership and to mobilize resources for those priority areas;

14. *Emphasizes* the role of national focal points in monitoring the implementation of the New Partnership and the need to build and strengthen human and institutional capacities in order to effectively implement it in all its aspects;

15. *Also emphasizes* that regional economic communities are effective vehicles for the development and integration of the African continent, and in this regard calls for the strengthening of their role in the coordination and implementation of programmes and projects of the New Partnership at the subregional level;

16. *Encourages* the further integration of the priorities and objectives of the New Partnership into the programmes of the regional structures and organizations, as well as programmes for the African least developed countries;

17. *Calls upon* African countries to promote the development and strengthening of their domestic private sectors and to facilitate their effective involvement in the growth and development of, and economic integration among, the African economies;

18. *Recognizes* the efforts of African countries to raise awareness of the New Partnership and to involve all African stakeholders, namely, Governments, the private sector and civil society, including women's organizations and community-based organizations, in its implementation;

19. *Welcomes* the decision taken by the Executive Council of the African Union in Maputo to integrate the New Partnership into the African Union structures and processes;

II

Action by the international community

20. *Welcomes* the pledges of increased official development assistance made by many of the development partners, also welcomes the contributions that have been made, and urges that partners take steps to continue to disburse the assistance they have pledged;

21. *Notes with satisfaction* that some developed countries have untied their official development assistance, and encourages countries that have not yet done so to untie their aid, in accordance with the relevant recommendation of the Development Assistance Committee of the Organization for Economic Cooperation and Development;

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[194] See A/58/626, annex I, Assembly/AU/Dec.27 (II).

22. *Calls upon* the international community, relevant multilateral institutions and developed countries to enhance coherence in their trade, investment and aid policies towards African countries;

23. *Stresses* the need to find a durable solution to the problem of external indebtedness of heavily indebted poor countries in Africa, including through debt cancellation and other arrangements, and the need to encourage innovative mechanisms to comprehensively address the debt problem of low- and middle-income African countries, bearing in mind that external debt relief can release resources that may be utilized in the successful implementation of the New Partnership for Africa's Development, taking into account initiatives that have been taken to reduce outstanding indebtedness and the need to pursue debt relief measures vigorously and expeditiously, including within the context of the Paris Club, the London Club and other relevant forums;

24. *Welcomes* the actions taken by creditor countries within the framework of the Paris Club and by some creditor countries through the cancellation of bilateral debts, urges all creditor countries to participate in efforts to remedy the external debt and debt-servicing problems of African countries, notes the Evian Approach of the Paris Club of October 2003, and also notes that debt relief does not replace alternative sources of financing;

25. *Encourages* developed countries and other partners to support the promotion of private investment in African countries from their countries, in particular in the key productive sectors of the economy, to provide investment guarantees for such investment and to support policies of African countries aimed at promoting a conducive environment to attract foreign investment;

26. *Underlines* the need to take concrete steps to implement existing frameworks and programmes of South-South cooperation, including through triangular cooperation in support of the New Partnership;

27. *Acknowledges* the activities in African countries of the Bretton Woods institutions and of the African Development Bank, and encourages them to continue their support for the implementation of the priorities and objectives of the New Partnership;

28. *Notes* the growing collaboration among the entities of the United Nations system in support of the New Partnership, and requests the Secretary-General to promote greater coherence in the work of the United Nations system in support of the New Partnership, on the basis of the agreed clusters;

29. *Calls upon* the United Nations funds, programmes and specialized agencies to strengthen further their existing coordination and programming mechanisms, as well as the simplification and harmonization of planning, disbursement and reporting procedures, as a means of enhancing support for African countries in the implementation of the New Partnership;

30. *Notes* that the entities of the United Nations system have been actively using the regional consultation mechanism as a vehicle for fostering collaboration and coordination at the regional level, and encourages them to intensify their efforts in developing and implementing joint programmes in support of the New Partnership at the regional level;

31. *Requests* the United Nations system to continue to provide assistance to the secretariat of the New Partnership and to African countries in developing projects and programmes within the scope of the priorities of the New Partnership;

32. *Welcomes* the cooperation and the support granted by the United Nations to the African regional and subregional organizations in conflict prevention and conflict management, takes note with appreciation of the work carried out by the Economic and Social Council ad hoc advisory groups on African countries emerging from conflict, while looking forward to the evaluation of their work during the substantive session of the Council in 2004, and encourages the pursuit of these activities in support of African efforts for conflict prevention and conflict management and in post-conflict situations;

33. *Also welcomes* the creation of the Office of the Special Adviser on Africa, and requests the Secretary-General to continue to take measures to strengthen the Office to enable it to effectively fulfil its mandate;

34. *Requests* the Secretary-General to submit a comprehensive report on the implementation of the present resolution to the General Assembly at its fifty-ninth session on the basis of inputs from Governments, organizations of the United Nations system and the other stakeholders in the New Partnership for Africa's Development, such as the private sector and civil society.

RESOLUTION 58/234

Adopted at the 78th plenary meeting, on 23 December 2003, without a vote, on the basis of draft resolution A/58/L.55 and Add.1, sponsored by: Armenia, Belgium, Canada, Ethiopia, France, Germany, Greece, Kenya, Liechtenstein, Mauritius, Mozambique, Norway, Republic of Korea, Russian Federation, Rwanda, Sierra Leone, Somalia, Sweden, Switzerland, Trinidad and Tobago, Uganda, United Kingdom of Great Britain and Northern Ireland, Zambia

58/234. International Day of Reflection on the 1994 Genocide in Rwanda

The General Assembly,

Guided by the Charter of the United Nations and the Universal Declaration of Human Rights,[195]

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[195] Resolution 217 A (III).

Recalling its resolution 260 A (III) of 9 December 1948, by which it adopted the Convention on the Prevention and Punishment of the Crime of Genocide, as well as its resolution 53/43 of 2 December 1998, entitled "Fiftieth anniversary of the Convention on the Prevention and Punishment of the Crime of Genocide", and its other resolutions relevant to the issue of genocide,

Recalling also the findings and recommendations of the Independent Inquiry commissioned by the Secretary-General, with the approval of the Security Council,[196] into the actions of the United Nations during the 1994 genocide in Rwanda,[197]

Recalling further Security Council resolution 955 (1994) of 8 November 1994 on the establishment of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994,

Recalling the report containing the findings and recommendations of the International Panel of Eminent Personalities commissioned by the former Organization of African Unity to investigate the genocide in Rwanda and the surrounding events, entitled "Rwanda: The Preventable Genocide",

Noting with concern that many alleged perpetrators of genocide continue to elude justice,

Recognizing the importance of combating impunity for all violations that constitute the crime of genocide,

Convinced that exposing and holding the perpetrators, including their accomplices, accountable, as well as restoring the dignity of victims through acknowledgement and commemoration of their suffering, would guide societies in the prevention of future violations,

Taking note of the recommendation of the Executive Council of the African Union, at its second ordinary session, held in N'Djamena from 3 to 6 March 2003, that the United Nations and the international community proclaim, in commemoration of the 1994 genocide in Rwanda, an international day of reflection and recommitment to the fight against genocide throughout the world,[198]

Recognizing that April 2004 is the tenth anniversary of the genocide in Rwanda,

1. *Decides* to designate 7 April 2004 as the International Day of Reflection on the Genocide in Rwanda;

2. *Encourages* all Member States, organizations of the United Nations system and other relevant international organizations, as well as civil society organizations, to observe the International Day, including special observances and activities in memory of the victims of the genocide in Rwanda;

3. *Encourages* all Member States, organizations of the United Nations system and other relevant international organizations to consider promoting implementation of the recommendations contained in the report of the Independent Inquiry into the actions of the United Nations during the 1994 genocide in Rwanda;[197]

4. *Calls upon* all States to act in accordance with the Convention on the Prevention and Punishment of the Crime of Genocide so as to ensure that there is no repetition of events of the kind that occurred in Rwanda in 1994.

RESOLUTION 58/235

Adopted at the 78th plenary meeting, on 23 December 2003, without a vote, on the basis of draft resolution A/58/L.56 and Add.1, sponsored by: Algeria, Austria, Benin, Denmark, Ethiopia, Germany, Greece, Ireland, Italy, Luxembourg, Mozambique, Netherlands, Rwanda, Singapore, South Africa, Sweden, Uganda

58/235. Implementation of the recommendations contained in the report of the Secretary-General on the causes of conflict and the promotion of durable peace and sustainable development in Africa

The General Assembly,

Recalling the report of the Open-ended Ad Hoc Working Group on the Causes of Conflict and the Promotion of Durable Peace and Sustainable Development in Africa,[199] and resolutions 53/92 of 7 December 1998, 54/234 of 22 December 1999, 55/217 of 21 December 2000, 55/281 of 1 August 2001, 56/37 of 4 December 2001, 57/296 of 20 December 2002 and 57/337 of 3 July 2003,

Recalling also, in this context, Security Council resolutions 1325 (2000) of 31 October 2000 on women and peace and security, and 1366 (2001) of 30 August 2001 on the prevention of armed conflicts,

Having considered the updated matrix for 2002 contained in the report of the Secretary-General[200] on the implementation of the recommendations contained in the report of the Secretary-General on the causes of conflict and the promotion of durable peace and sustainable development in Africa,[201]

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[196] See S/1999/340.

[197] See S/1999/1257, annex.

[198] A/57/775, annex, decision EX.CL/Dec.16 (II).

[199] *Official Records of the General Assembly, Fifty-sixth Session, Supplement No. 45* (A/56/45).

[200] See A/58/352.

[201] A/52/871-S/1998/318.

Recalling its resolution 57/7 of 4 November 2002 on the final review and appraisal of the United Nations New Agenda for the Development of Africa in the 1990s and support for the New Partnership for Africa's Development,

Noting that prevention of conflict must remain the fundamental focus of the work of the United Nations and that peace, security and development, in particular within post-conflict contexts, are inextricably linked,

Noting also that conflict prevention and the consolidation of peace require coordinated, sustained and integrated efforts from the United Nations system and Member States,

Recalling section VII of the United Nations Millennium Declaration,[202] which highlights the special needs of Africa,

Reaffirming that the implementation of the recommendations contained in the report of the Secretary-General on the causes of conflict and the promotion of durable peace and sustainable development in Africa must remain a priority on the agenda of the United Nations system and of the Member States,

Underscoring the fact that the responsibility for peace and security in Africa, including the capacity to address the root causes of conflict and to resolve conflicts in a peaceful manner, lies primarily with African countries themselves and with regional and subregional structures,

Underscoring also the need to strengthen further the political will to ensure the required political, financial and technical support critical for the effective implementation of the recommendations in all of the areas included in the report of the Secretary-General,

Reaffirming that the General Assembly must continue to play the primary role in monitoring the implementation of the recommendations contained in the report of the Secretary-General and assessing the progress made,[203]

1. *Takes note with appreciation* of the updated matrix for 2002 contained in the report of the Secretary-General[200] on the implementation of the recommendations contained in the report of the Secretary-General on the causes of conflict and the promotion of durable peace and sustainable development in Africa,[201] and the further advances in a wide range of areas made since the last progress report;

2. *Notes with appreciation* that many strides have been made in the prevention and settlement of disputes and that there have been sustained efforts by African regional and subregional initiatives of late to mediate and resolve conflicts;

3. *Requests* Member States to ensure that such initiatives continue to be taken in close consultation and coordination with the United Nations in order to ensure that the United Nations can have a clear role, as appropriate, in the subsequent implementation of such mediated settlements;

4. *Welcomes* the efforts undertaken by African countries towards the establishment of a Peace and Security Council within the African Union, and encourages the States members of the African Union that have not yet ratified the protocol relating to the establishment of the Council to do so;

5. *Encourages* African countries to continue their efforts to develop African capacity to undertake peace-support operations at the regional and subregional levels and the United Nations and donor countries to establish suitable mechanisms to assist African States in developing their capacity to undertake peace-support operations in a coherent and coordinated manner;

6. *Welcomes* the European Union decision to establish a peace facility to support the establishment of the African Peace and Security Mechanism and the implementation of peace initiatives undertaken by the African Union;

7. *Also welcomes* the establishment of the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa of the Security Council and of the Ad Hoc Advisory Group on African Countries Emerging from Conflict, within the framework of the Economic and Social Council;

8. *Notes with concern* that progress in the implementation of the recommendations in the report of the Secretary-General remains slow and uneven;

9. *Notes* that conflict prevention and peace consolidation efforts, in particular efforts to eradicate poverty, promote respect for human rights, strengthen rule-of-law institutions, re-establish transparent and accountable public administration, encourage democratic reform and demobilize, disarm and reintegrate ex-combatants should be supported by Member States and the United Nations system through enhanced coordination, coherence and sustained financial and political support;

10. *Decides* to continue to monitor the implementation of the recommendations contained in the report of the Secretary-General on the causes of conflict and the promotion of durable peace and sustainable development in Africa;[201]

11. *Welcomes* the designation of the Office of the Special Adviser on Africa as a focal point within the Secretariat which should continue to monitor, through the already established interdepartmental task force on Africa affairs, the implementation of the recommendations contained in the report of the Secretary-General on the causes of conflict and the promotion of durable peace and sustainable development in Africa, with special regard being given to preventive action and post-conflict peace consolidation, and make recommendations as to how the implementation of those recommendations could be further enhanced;

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[202] See resolution 55/2.

[203] See *Official Records of the General Assembly, Fifty-sixth Session, Supplement No. 45* (A/56/45), para. 67.

12. *Calls upon* Member States to provide financial and technical assistance in a coordinated and sustained way in order to support activities to eradicate poverty, promote respect for human rights, strengthen rule of law institutions and promote transparent and accountable public administration;

13. *Encourages* the Secretary-General to explore and recommend suitable arrangements and mechanisms through which Member States could more effectively address the multidisciplinary causes of conflict, including their regional dimensions, and strengthen the coordinated and sustained manner in which they could provide financial and technical assistance in preventive action as well as post-conflict peace-building;

14. *Requests* the Secretary-General to submit to the General Assembly at its fifty-ninth session a report on the implementation of the present resolution, taking into account recent developments related to the cooperation of Africa with the international community on these matters.

RESOLUTION 58/236

Adopted at the 78th plenary meeting, on 23 December 2003, without a vote, on the basis of draft resolution A/58/L.54, submitted by the President of the General Assembly

58/236. Follow-up to the outcome of the twenty-sixth special session: implementation of the Declaration of Commitment on HIV/AIDS

The General Assembly,

Recalling the goals and targets set forth in the Declaration of Commitment on HIV/AIDS[204] adopted by the General Assembly at its twenty-sixth special session, in 2001, and the HIV/AIDS-related goals contained in the United Nations Millennium Declaration of 2000,[205]

Reaffirming the commitment made by all States at the twenty-sixth special session of the General Assembly,

Noting with profound concern that 42 million people worldwide are living with HIV/AIDS, that the HIV/AIDS pandemic claimed 3.1 million lives in 2002 and to date has orphaned 14 million children,

Noting with grave concern that the majority of new HIV infections occur among young people and that women and girls are disproportionately affected by the pandemic,

Noting that the unequal legal and social status of women heightens their vulnerability to HIV,

Expressing serious concern about the continued global spread of HIV/AIDS, which exacerbates poverty and poses a major threat to economic and social development and to food security in heavily affected regions, while recognizing that poverty, underdevelopment and illiteracy are among the principal contributing factors to the spread of the disease,

Noting that the epidemic affects every region and, while sub-Saharan Africa remains worst affected, serious epidemics are present or emerging in the Caribbean, Eastern Europe and Asia and the Pacific,

Acknowledging that prevention, care, support and treatment for those infected and affected by HIV/AIDS are mutually reinforcing elements of an effective response and must be integrated in a comprehensive approach to combat the epidemic,

Also acknowledging the importance of maintaining an emphasis on prevention measures in countries with low prevalence rates,

Recognizing that, while the primary responsibility for responding to HIV/AIDS rests with Governments, the efforts and engagement of all sectors of society are essential to generating an effective response,

Reaffirming that the full realization of human rights and fundamental freedoms for all is an essential element in a global response to the HIV/AIDS pandemic, and reaffirming also the importance of the elimination of all forms of discrimination against people living with or at risk of HIV/AIDS, including those most vulnerable,

Recognizing that populations destabilized by armed conflict, humanitarian emergencies and natural disasters, including refugees, internally displaced persons and, in particular, women and children, are at increased risk of exposure to HIV infection,

Encouraged that civil society, especially organizations representing people living with HIV/AIDS, women, young persons, orphans, faith-based organizations and the private sector, is increasingly involved in national responses to HIV/AIDS, while noting the need for further engagement of these stakeholders at all levels,

Acknowledging the efforts of international humanitarian organizations, including the International Federation of Red Cross and Red Crescent Societies, in combating the epidemic in the most affected areas of the world,

Noting that strengthened political commitment, including at the highest level, as witnessed, inter alia, at the high-level General Assembly meeting on HIV/AIDS, held on 22 September 2003, demonstrates the resolve of Governments and the international community to intensify implementation and cooperation in order to meet the goals and targets contained in the Declaration of Commitment,

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[204] Resolution S-26/2, annex.

[205] See resolution 55/2.

Noting with appreciation the support for national responses provided by the United Nations system, especially the secretariat of the Joint United Nations Programme on HIV/AIDS and Co-sponsors, inter alia, for effective country-led mechanisms, including the mobilization of financial resources, the facilitation and provision of technical assistance and support to the Global Fund to fight AIDS, Tuberculosis and Malaria and applicant countries, at every level of the grant-making process,

Also noting with appreciation the new strategic direction taken by the Joint Programme after the five-year evaluation of the Programme by its Programme Coordinating Board, encompassing, in particular, a greater focus on national-level processes, continued global leadership and advocacy, and a focus on the gender implications of HIV/AIDS,

Encouraged that the United Nations system has made progress towards integrating the consideration of HIV/AIDS in its activities, including addressing HIV/AIDS in the United Nations workplace, the appointment of HIV/AIDS focal points in peacekeeping operations and the work on guidelines for HIV/AIDS in emergency settings,

Recognizing the emergence of the World Bank Multi-Country HIV/AIDS Programme and the Global Fund to fight AIDS, Tuberculosis and Malaria and the contributions of private foundations as important sources of new and additional funding,

Noting with concern that, although many Member States have met the 2003 targets contained in the Declaration of Commitment, considerable gaps remain,

Also noting with concern that, at the current rate of implementation and fulfilment of commitments, many countries are unlikely to meet the targets for 2005,

Recognizing that many developing countries may not have the financial or human resources capacity to mount an effective response to the HIV/AIDS epidemic, and in this context underlining the importance of international cooperation,

Noting that, despite improvement, current global resources available for HIV/AIDS are less than half of the 10 billion United States dollars considered necessary for an effective response in 2005 alone and that substantial new funding will be required in order to meet the global resource targets,

Also noting that intensified implementation will require partnership and enhanced cooperation at all levels, as well as enhanced support for human and institutional capacity development and considerably increased financial resources,

Further noting that implementation has to be intensified through partnerships at the national, regional and international levels in order to offer infected and affected people and communities in developing countries and countries with economies in transition medicines and related technology which are affordable, easy to use and readily available,

Encouraged that an increasing number of companies in the private sector are offering prevention, care and treatment services to employees and their families, while noting the need for continued efforts in this regard,

Recalling Commission on Human Rights resolution 2003/47 of 23 April 2003,[206]

1. *Welcomes* the report of the Secretary-General on progress towards implementation of the Declaration of Commitment on HIV/AIDS;[207]

2. *Reaffirms its commitment* to the goals and targets contained in the Declaration of Commitment on HIV/AIDS[204] and the United Nations Millennium Declaration[205] and to their implementation;

3. *Stresses with deep concern* that the HIV/AIDS emergency, with its devastating scale and impact, requires urgent actions in all fields and at all levels;

4. *Urges* relevant United Nations organizations, as well as other relevant international organizations, to further support national efforts for implementation of the Declaration of Commitment and address the issue of the cost, availability and affordability of drugs and related technology;

5. *Urges* Member States to intensify national efforts and international cooperation in the implementation of the Declaration of Commitment in order to meet the goals and targets contained therein based on national plans, where they exist, and, in particular, where gaps have been identified in the report of the Secretary-General by, inter alia:

(*a*) Providing stronger and more visible leadership in response to the epidemic;

(*b*) Creating an environment that encourages the engagement of and partnerships with all stakeholders, including civil society, people living with HIV/AIDS, marginalized and vulnerable groups, cultural and faith-based organizations, non-governmental organizations, traditional health practitioners, the private sector, international institutions and the media;

(*c*) Strengthening policies and programmes for combating HIV/AIDS, including those relating to the protection and promotion of all human rights and fundamental freedoms for all, including eliminating stigmas and discrimination against people living with and/or affected by HIV/AIDS, ensuring gender equality, assisting orphans and children and expanding access to treatment, care and support;

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[206] See *Official Records of the Economic and Social Council, 2003, Supplement No. 3* (E/2003/23), chap. II, sect. A.

[207] A/58/184.

(*d*) Building and scaling up a comprehensive response to achieve broad multisectoral coverage for prevention, care, treatment and support and recognizing the need to seriously address impact mitigation issues, in particular in the worst affected countries, and specifically within this context:

(i) Intensifying prevention measures, especially those directed at vulnerable groups, in particular women and young persons, bearing in mind that prevention is the mainstay of the national, regional and international response;

(ii) Expanding access to treatment, in a progressive and sustainable manner, including the prevention and treatment of opportunistic diseases and the effective use of antiretroviral medication;

(iii) Improving the provision of care and support to those infected and affected by HIV/AIDS, including orphans;

(iv) Mitigating the social and economic impact of the epidemic;

(v) Promoting access to low-cost and effective drugs and related pharmaceutical products;

(vi) Strengthening health-care systems and integrating HIV/AIDS programmes into current health services;

(vii) Strengthening HIV/AIDS surveillance and systems for evaluating programme effectiveness;

(*e*) Strengthening pharmaceutical policies and practices, including those applicable to generic drugs and intellectual property regimes, in order to further promote innovation and the development of domestic industries consistent with international law;

(*f*) Intensifying training and research initiatives or programmes to strengthen the capacities of Governments to manage the epidemic;

(*g*) Sharing experiences and exchanging information on key areas of intervention, such as prevention, the provision of care and support for HIV/AIDS-infected persons and the treatment of HIV/AIDS-related conditions;

(*h*) Addressing the human resource crisis affecting the effective implementation of comprehensive national HIV/AIDS programmes, including supporting the development of monitoring and evaluation capacities and working at the national and international levels to generate flexible solutions;

(*i*) Mobilizing financial resources and providing the support necessary to ensure that they are targeted effectively and absorbed quickly and deliver equitable and sustainable coverage of services, particularly to those most in need;

6. *Welcomes with appreciation* the Declaration on the Agreement on Trade-Related Aspects of Intellectual Property Rights and Public Health, adopted on 14 November 2001 at the Fourth Ministerial Conference of the World Trade Organization, held in Doha,[208] and the decision dated 30 August 2003 of the General Council of the World Trade Organization on the implementation of paragraph 6 of the Declaration;[209]

7. *Welcomes* the commitment by the World Health Organization and the Joint United Nations Programme on HIV/AIDS to work with the international community to support developing countries in achieving the target of providing antiretroviral medicines to 3 million people infected with HIV/AIDS by the end of 2005, the "3 by 5" target, recalling Commission on Human Rights resolution 2003/29 of 22 April 2003 entitled "Access to medication in the context of pandemics such as HIV/AIDS, tuberculosis and malaria";[206]

8. *Urges* the mobilization of additional resources from national, bilateral, multilateral and private sources, including but not limited to additional support to the Global Fund to fight AIDS, Tuberculosis and Malaria, in order to address the growing need;

9. *Also urges* the provision of additional financial resources to the United Nations system, especially the Joint Programme's secretariat and Co-sponsors, in order that they may intensify their support for national responses to HIV/AIDS;

10. *Emphasizes* that, with the increasing number of HIV/AIDS initiatives at the global, regional and national levels, there is a need for close coordination at all levels, including under government leadership at the national level to ensure a harmonized approach and to increase the effectiveness of the response;

11. *Encourages* the private sector to become fully engaged in the fight against HIV/AIDS, including by adopting relevant workplace non-discrimination policies;

12. *Encourages* the private sector and the pharmaceutical industry to contribute to the fight against AIDS by, inter alia, continuing to provide key AIDS pharmaceuticals that meet the standards of the World Health Organization, at the lowest possible prices;

13. *Recognizes* the importance of young men and women having access to information, education, including peer education and youth-specific HIV education, and services necessary to develop the life skills required to reduce their vulnerability to HIV infection, in full partnership with young persons, parents, families, educators and health-care providers;

14. *Reiterates* the need to respond urgently to the dire situation in sub-Saharan Africa and in particular the crisis conditions in the southern African region, in order to minimize the loss of institutional capacity in key national sectors and mitigate the threat of accelerating the cycle of poverty, food

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[208] WT/MIN(01)/DEC/2. Available from http://docsonline.wto.org.

[209] WT/L/540. Available from http://docsonline.wto.org.

insecurity, instability and heightened vulnerability to HIV/AIDS;

15. *Stresses* the need for intensified action in all regions, especially the Caribbean, Eastern Europe and Asia and the Pacific;

16. *Decides* to hold a high-level meeting in 2005 to review the progress achieved in realizing the commitments set out in the Declaration of Commitment, and decides also that the scheduling, format, participation, including civil society participation, and other organizational details will be further considered during the fifty-eighth session of the General Assembly;

17. *Requests* the Secretary-General, in this regard, to submit a comprehensive and analytical report on progress achieved in realizing the commitments set out in the Declaration of Commitment, in particular those set out for 2005, with a view to identifying problems and constraints and making recommendations on action needed to make further progress;

18. *Decides* to include in the provisional agenda of its fifty-ninth session, the item entitled "Follow up to the outcome of the twenty-sixth special session: implementation of the Declaration of Commitment on HIV/AIDS".

RESOLUTION 58/237

Adopted at the 78th plenary meeting, on 23 December 2003, without a vote, on the basis of draft resolution A/58/L.53 and Add.1, sponsored by: Cameroon, Djibouti, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ireland, Italy, Japan, Kenya, Madagascar, Mali, Mauritius, Mozambique, Rwanda, South Africa, Sudan, Sweden, Togo, Uganda

58/237. 2001–2010: Decade to Roll Back Malaria in Developing Countries, Particularly in Africa

The General Assembly,

Recalling its resolutions 49/135 of 19 December 1994, 50/128 of 20 December 1995, 55/284 of 7 September 2001 and 57/294 of 20 December 2002 concerning the struggle against malaria in developing countries, particularly in Africa,

Bearing in mind the relevant resolutions of the Economic and Social Council relating to the struggle against malaria and diarrhoeal diseases, in particular resolution 1998/36 of 30 July 1998,

Taking note of the declarations and decisions on health issues adopted by the Organization of African Unity, in particular the declaration and plan of action on the "Roll Back Malaria" initiative adopted at the Extraordinary Summit of Heads of State and Government of the Organization of African Unity, held in Abuja on 24 and 25 April 2000,[210] as well as decision AHG/Dec.155 (XXXVI) concerning the implementation of that declaration and plan of action, adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its thirty-sixth ordinary session, held in Lomé from 10 to 12 July 2000,[211]

Also taking note of the Maputo Declaration on Malaria, HIV/AIDS, Tuberculosis and Other Related Infectious Diseases, adopted by the Assembly of the African Union at its second ordinary session, held in Maputo from 10 to 12 July 2003,[212]

Recognizing the linkages in efforts being made to reach the targets set in the Abuja Summit as necessary and important for the attainment of the "Roll Back Malaria" goal and the targets of the United Nations Millennium Declaration[213] by 2010 and 2015, respectively,

Also recognizing the urgent need for scaling up national malaria control programmes if African countries are to meet the intermediate target set by the Abuja Summit for the five-year period of 2000–2005,

Further recognizing that malaria-related ill health and deaths throughout the world can be eliminated with political commitment and commensurate resources if the public is educated and sensitized about malaria and appropriate health services are made available, particularly in countries where the disease is endemic,

Emphasizing the importance of implementing the Millennium Declaration, and welcoming in this connection the commitment of Member States to respond to the specific needs of Africa,

Commending the efforts of the World Health Organization and the United Nations Children's Fund and other partners to fight malaria over the years, including the launching of the Roll Back Malaria Partnership in 1998,

1. *Takes note* of the report of the Secretary-General,[214] and calls for support for the recommendations contained therein;

2. *Calls upon* the international community to continue to support the "Roll Back Malaria" partner organizations, including the World Health Organization and the United Nations Children's Fund, as vital complementary sources of support for the efforts of malaria-endemic countries to combat the disease;

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[210] See A/55/240/Add.1.

[211] See A/55/286, annex II.

[212] A/58/626, annex I, Assembly/AU/Decl.6 (II).

[213] See resolution 55/2.

[214] A/58/136 and Corr.1.

3. *Appeals* to the international community to ensure that the Global Fund to Fight AIDS, Tuberculosis and Malaria receives increased funding to support sound national plans to control malaria in endemic countries to be implemented in a sustained and equitable way that contributes to health system development;

4. *Urges* malaria-endemic countries to increase domestic resource allocation to malaria control;

5. *Encourages* all African countries that have not yet done so to implement the recommendations of the Abuja Summit to reduce or waive taxes and tariffs for nets and other products needed for malaria control, both to reduce the price of nets to consumers and to stimulate free trade in insecticide-treated nets;

6. *Calls upon* the international community to support ways of stimulating the development of manufacturing capacity of insecticide-treated nets in Africa and, in this connection, to encourage and facilitate the transfer of technology needed to make insecticide-treated nets more effective and long-lasting;

7. *Recognizes* the importance of the development of effective vaccines and new medicines to prevent and treat malaria, and the need for further research, including through effective global partnerships such as the various malaria vaccine initiatives and the Medicines for Malaria Venture, in securing their development;

8. *Reiterates* the need for expanded public-private partnerships for malaria control and prevention, and in this context urges petroleum companies operating in Africa to consider providing polymer for the manufacture of mosquito nets at reduced prices as a contribution to rolling back malaria in Africa;

9. *Urges* the pharmaceutical industry to take note of the increasing need for effective combination treatment for malaria, particularly in Africa, and to form additional alliances and partnerships to help to ensure that all people at risk have access to prompt, affordable and quality treatment;

10. *Requests* the Secretary-General, in close collaboration with the World Health Organization, developing countries and regional organizations, including the African Union, to conduct in 2005 an evaluation of the measures taken and progress made towards the achievement of the mid-term targets, the means of implementation provided by the international community in this regard and the overall goals of the Decade, and to report thereon to the General Assembly at its sixtieth session;

11. *Also requests* the Secretary-General to report to the General Assembly at its fifty-ninth session on the implementation of the present resolution, under the agenda item entitled "2001–2010: Decade to Roll Back Malaria in Developing Countries, Particularly in Africa".

RESOLUTION 58/238

Adopted at the 79th plenary meeting, on 23 December 2003, without a vote, on the basis of draft resolution A/58/L.30/Rev.1 and Add.1, sponsored by: Austria, Belgium, Bulgaria, Canada, Colombia, Costa Rica, Czech Republic, Denmark, Ecuador, Estonia, Finland, France, Germany, Greece, Guatemala, Honduras, Hungary, Ireland, Italy, Japan, Latvia, Lithuania, Luxembourg, Malta, Mexico, Netherlands, Norway, Poland, Portugal, Russian Federation, Slovakia, Slovenia, Spain, Sweden, Switzerland, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela

58/238. United Nations Verification Mission in Guatemala

The General Assembly,

Recalling its resolution 57/161 of 16 December 2002, in which it decided to authorize the renewal of the mandate of the United Nations Verification Mission in Guatemala from 1 January to 31 December 2003,

Taking into account the fact that the Government of Guatemala has reaffirmed its commitment to the full implementation of the peace agreements,

Underlining the fact that substantive aspects of the peace agreements have yet to be implemented and that the timetable for implementation and verification established by the Commission to Follow up the Implementation of the Peace Agreements extends through 2004,

Taking into account the request of the Government of Guatemala for an extension of the mandate of the Mission until the end of 2004, in view of the desirability of maintaining the presence of the Mission during the first year of the new Government, which will take office in January 2004,

Taking into account also the fact that civil society organizations in Guatemala and the international community expressed concerns about potential setbacks to implementation of the peace agreements should the Mission depart Guatemala before a new Government had taken office and demonstrated its commitment to the peace process,

Taking note of the fact that on 10 July 2003, under the auspices of the Organization of American States, representatives of the main political parties of Guatemala signed a declaration expressing support for the peace agreements as State accords that should be incorporated into government plans for the peace process,

Taking into account the eighth report of the Secretary-General on the verification of compliance with the peace agreements,[215]

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[215] A/58/267.

Taking into account also the fourteenth report of the Mission on human rights,[216]

Taking into account further the report of the Commission for Historical Clarification,[217]

Stressing the positive role played by the Mission in support of the Guatemala peace process, and emphasizing the need for the Mission to continue to enjoy the full support of all parties concerned,

Having considered the report of the Secretary-General on the work of the Mission[218] and the recommendations contained therein,

1. *Welcomes* the eighth report of the Secretary-General on the verification of compliance with the peace agreements;[215]

2. *Also welcomes* the fourteenth report of the United Nations Verification Mission in Guatemala on human rights;[216]

3. *Calls upon* the Government of Guatemala to maintain its commitment to the full implementation of the peace agreements;

4. *Also calls upon* newly elected public officials to act on the commitments made by representatives of the main political parties in July 2003 to support the peace agreements as State accords that should be incorporated into government plans for the peace process;

5. *Takes note* of the recommendations contained in the report of the Secretary-General on the work of the Mission[218] aimed at ensuring that the Mission responds adequately to the demands of the peace process until 31 December 2004, in view of the many outstanding matters still to be addressed and the need to ensure the commitment of the new Government to the peace agreements;

6. *Notes* that, while in 2003 the Mission verified four broad areas of the peace agreements, in 2004 it will concentrate only on two areas, human rights and demilitarization and the strengthening of civilian power;

7. *Also notes* the results of the meeting of the Consultative Group for Guatemala, held in Guatemala City on 13 and 14 May 2003, at which all participants agreed that the peace agreements should remain Guatemala's essential road map for development;

8. *Further notes* that, while advances were verified in certain areas, such as the passage of legislation against discrimination in its many manifestations, the redeployment of military units and the development of a national reparations programme for the victims of human rights violations committed during the armed conflict, progress in the implementation of the peace agreements in the past year fell short of expectations and was insufficient to inject new momentum into the peace process;

9. *Notes* that the consolidation of the peace-building process remains a significant challenge which will require greater political will, the involvement of all sectors of society and the continued engagement of the international community;

10. *Notes with concern* the climate of intimidation against justice officials, human rights defenders, social activists and journalists;

11. *Takes note* of the agreement reached in March 2003 by the Government of Guatemala and the Human Rights Ombudsman, with the support of civil society, and currently being revised, to create a Commission for the Investigation of Illegal Groups and Clandestine Security Apparatuses;

12. *Welcomes* the agreement signed on 1 December 2003 between the Government of Guatemala and the Office of the United Nations High Commissioner for Human Rights for the establishment of an office of the High Commissioner in Guatemala, with a mandate to monitor the human rights situation in the country and advise the Government on formulating and implementing policies, programmes and measures to promote and protect human rights;

13. *Calls upon* the Government to further reduce military spending and to allocate adequate budgets to those institutions and programmes that are given priority under the peace accords;

14. *Underlines* the importance of implementing fully the Agreement on Identity and Rights of Indigenous Peoples[219] as a key to fighting discrimination and consolidating peace and equality in Guatemala, and highlights the need to implement fully the Agreement on Social and Economic Aspects and Agrarian Situation[220] as a means of addressing the root causes of the armed conflict;

15. *Calls upon* the Government to implement the recommendations of the Commission for Historical Clarification, with a view to promoting national reconciliation, upholding the right to truth and providing redress for the victims of human rights abuses and violence committed during the thirty-six-year conflict;

16. *Invites* the international community, and in particular the specialized agencies, funds and programmes of the United Nations system, to continue to support the consolidation of the peace-building process, with the peace agreements as the framework for their technical and financial assistance programmes and projects, and stresses the continued

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[216] A/58/566.

[217] A/53/928, annex.

[218] A/58/262.

[219] A/49/882-S/1995/256, annex.

[220] A/50/956, annex.

importance of close cooperation among them in the context of the United Nations Development Assistance Framework for Guatemala;

17. *Urges* the international community to support financially, through existing mechanisms of international cooperation, the strengthening of national capacities to ensure the consolidation of the peace process in Guatemala;

18. *Also urges* the international community to support financially the strengthening of the capacities of the specialized agencies, funds and programmes of the United Nations system, including the future office of the High Commissioner in Guatemala City, as the Mission prepares to intensify its work to ensure specific follow-on by the entities of the United Nations system, as well as by members of the international community, within the framework of a general transition strategy;

19. *Stresses* that, while the Mission has played a key role in promoting the consolidation of peace and the observance of human rights and in verifying compliance with the revised timetable for the implementation of pending commitments under the peace agreements, the long-term success of the peace process depends on the capacities and renewed commitment to the peace agreements of Guatemalan institutions, both of the State and of civil society;

20. *Requests* the United Nations system in Guatemala to continue to monitor and report annually, utilizing the methodology and indicators developed with the Mission, on the implementation of the Agreement on Social and Economic Aspects and Agrarian Situation as part of the national human development report of the United Nations Development Programme;

21. *Decides* to authorize a final renewal of the mandate of the United Nations Verification Mission in Guatemala from 1 January to 31 December 2004;

22. *Requests* the Secretary-General to submit a report on the implementation of the present resolution to the General Assembly at the beginning of its fifty-ninth session, as well as a final report on the work of the Mission before the end of that session, together with the recommendations that he may deem appropriate.

RESOLUTION 58/239

Adopted at the 79th plenary meeting, on 23 December 2003, without a vote, on the basis of draft resolution A/58/L.38 and Add.1, sponsored by: Antigua and Barbuda, Austria, Belgium, Belize, Bolivia, Canada, Chile, Colombia, Costa Rica, Czech Republic, Denmark, Dominica, Dominican Republic, Ecuador, El Salvador, Estonia, Finland, France, Germany, Greece, Grenada, Guatemala, Honduras, Ireland, Italy, Jamaica, Japan, Latvia, Lithuania, Malta, Mexico, Netherlands, Nicaragua, Panama, Poland, Portugal, Republic of Korea, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Slovakia, Slovenia, Spain, Suriname, Sweden, Switzerland, Timor-Leste, United Kingdom of Great Britain and Northern Ireland

58/239. The situation in Central America: progress in fashioning a region of peace, freedom, democracy and development

The General Assembly,

Recalling its relevant resolutions in which it requests the Secretary-General, the United Nations system and the international community to give the Central American peoples the fullest possible support and assistance for the maintenance and strengthening of peace, democracy and sustainable development, as well as the relevant Security Council resolutions,

Reaffirming all its relevant resolutions in which it stresses the importance of international economic, financial and technical cooperation and support, both bilateral and multilateral, aimed at promoting the economic and social development of Central America with a view to supplementing the efforts of the Central American peoples and Governments to consolidate peace and democracy,

Reaffirming also the close link and interaction between peace, democracy and sustainable development, as fundamental and permanent pillars of the political action of the Central American Governments aimed at realizing the legitimate aspirations of the Central American peoples with regard to economic development and social justice,

Recognizing that peace and democracy in Central America are the outcome of a long and arduous process in which obstacles have been encountered but have been overcome through the efforts of the peoples and Governments of the region, with the assistance and cooperation of the United Nations system and the international community,

Commending the efforts of the Central American Governments to continue fulfilling the commitments they have assumed under national, regional and international agreements with a view to strengthening democratic governance in the region by promoting and protecting human rights, implementing social programmes designed to eradicate poverty and eliminate unemployment, improving public safety, strengthening the judiciary, consolidating a modern and transparent public administration and combating corruption,

Taking note of the existence throughout Central America of freely elected Governments, indicating the achievement of political, economic and social changes that are creating a climate conducive to the promotion of economic growth and advancement towards the further development of democratic, just and equitable societies,

Emphasizing, in this context, the importance of the progress made in connection with the Central American Integration System, the Alliance for the Sustainable Development of Central America, the establishment of the regional social policy contained in the Treaty on Central American Social Integration and the Framework Treaty on Democratic Security in Central America, and in other areas, *Noting with satisfaction* the progress made in the region in the search for peaceful solutions to existing territorial and border disputes, in accordance with the principles of public international law and the provisions of the Charter of the United Nations,

Recognizing that the slow development of the economies of the area has been aggravated in the past two years by an unfavourable international economic climate, which has had an adverse effect on the efforts of the peoples and Governments of the region to promote sustainable economic development in an efficient manner,

Recognizing with satisfaction the progress made by the Central American region in the promotion and protection of human rights and fundamental freedoms, and the obligation of States to continue guaranteeing their effective enjoyment,

Recognizing the efforts of the region to enhance public safety by taking steps to combat the illicit trade in small arms and light weapons, by arms limitation and control, and by combating transnational organized crime and terrorism,

1. *Takes note* of the report of the Secretary-General on the situation in Central America;[221]

2. *Commends* the efforts of the peoples and Governments of the Central American countries to consolidate peace and democracy and promote sustainable development by implementing the commitments adopted at the meetings and summit meetings held in the region;

3. *Recognizes* the progress made towards the implementation of the peace agreements in the region, and in that context reiterates its special appreciation and congratulations to the people and Government of El Salvador for the successful fulfilment of the commitments set forth in those agreements, and expresses its profound thanks to the Secretary-General for accompanying that process and for the commendable way in which he has carried out his verification work, which is considered to be completed;

4. *Urges* the Government of Guatemala to give renewed impetus to the fulfilment of the commitments contained in the peace agreements, in the context of reprogramming for the period 2001–2004, and to the understanding reached during the fifth meeting of the Consultative Group for Guatemala, organized by the Inter-American Development Bank and held in Guatemala City on 13 and 14 May 2003;

5. *Urges* the Governments of the region to continue to guarantee free, fair and transparent elections with a view to consolidating democracy in Central America;

6. *Commends* the efforts and actions undertaken in the region to combat the scourge of corruption, urges all the States of the area to continue their actions with a view to eradicating that evil, and in that context takes note of the congratulations expressed in the report of the Secretary-General[222] with regard to the work done by the Government of Nicaragua in this field;

7. *Views with satisfaction* the approval of important reforms relating to the conduct of public affairs and judicial matters in Central America, and in that context expresses special satisfaction concerning the progress made in Honduras towards completion of the political transformation process initiated in September 2001, and urges the Central American Governments to redouble their efforts with a view to strengthening those areas even further;

8. *Urges* Member States to continue combining efforts to adapt, strengthen and promote even further the Central American integration process, and appeals to the international community to continue supporting that process in order to contribute to the sustainable development of the region;

9. *Notes with satisfaction* the progress made by the Central American Governments in the peaceful settlement of their territorial and border disputes, and strongly urges them to continue working to resolve outstanding issues in full compliance with the norms of international law and the relevant international decisions and judgements;

10. *Emphasizes* the importance of foreign trade for the development of Central America, and in this context stresses the value of negotiating balanced free-trade agreements between the region and its counterparts outside the region;

11. *Reaffirms* the importance of the Puebla-Panama Plan as a means of promoting the economic and social development of the Mesoamerican region, and recognizes in that connection the progress made in implementing the Plan;

12. *Urges* the Governments of the Central American countries to continue strengthening the institutions responsible for the promotion and protection of human rights and fundamental freedoms, thus helping to ensure their full and effective enjoyment by all the peoples of the region;

13. *Appeals* to the Central American Governments to continue their efforts to combat the illicit trade in small arms and light weapons, promote arms limitation and control and combat transnational organized crime and terrorism by fulfilling the obligations assumed in the relevant international agreements;

14. *Appreciates* the efforts of the Central American countries to strengthen public safety in the area by organizing summit meetings on that issue, such as the Special Summit on Regional Security, held in Belize City on 4 September 2003, and the Special Summit on Security, held in Guatemala City on 17 July 2003;

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[221] A/58/270.

[222] Ibid., section I.D.

15. *Welcomes* the efforts made to strengthen civilian police forces and promote the demilitarization of the region, in particular the actions taken in the context of the regional plan to combat organized crime, and emphasizes the need for the international community to continue lending its support to the relevant institutions in the field of public safety;

16. *Takes note with satisfaction* of the intention of the Government of Guatemala to establish a Commission for the Investigation of Illegal Groups and Clandestine Security Apparatuses, and urges the Secretary-General to support that initiative with a view to its prompt implementation;

17. *Appreciates* the initiative of the Government of Nicaragua relating to the programme for arms limitation and control in Central America to achieve a reasonable balance of forces and to foster stability, mutual trust and transparency, which will be implemented in the region in accordance with the established schedule;

18. *Emphasizes* the need for the international community, especially the organs, funds and programmes of the United Nations system and the donor community, to continue their cooperation with and assistance to the Central American countries, including the provision of bilateral and multilateral financial resources, with the aim of supporting the promotion of sustainable development and the consolidation of peace, freedom and democracy in the region;

19. *Requests* the Secretary-General to continue to lend his fullest support to the initiatives and activities of the Central American Governments, in particular their efforts to consolidate democracy through the promotion of integration and the implementation of a comprehensive sustainable development programme and to submit to the General Assembly a complete consolidated report on the implementation of all the relevant resolutions on Central America at its sixtieth session, under the item entitled "The situation in Central America: progress in fashioning a region of peace, freedom, democracy and development", and decides that, henceforth, the item will be considered every two years.

RESOLUTION 58/240

Adopted at the 79th plenary meeting, on 23 December 2003, by a recorded vote of 156 to 1, with 2 abstentions,* on the basis of draft resolution A/58/L.19 and Add.1, sponsored by: Angola, Australia, Austria, Bahamas, Belgium, Belize, Benin, Brazil, Canada, Cyprus, Denmark, Fiji, Finland, Gambia, Germany, Greece, Haiti, Iceland, Indonesia, Ireland, Italy, Jamaica, Japan, Luxembourg, Madagascar, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Namibia, Nauru, Netherlands, New Zealand, Norway, Papua New Guinea, Portugal, Romania, Russian Federation, Samoa, Sierra Leone, Solomon Islands, South Africa, Sri Lanka, Sweden, the former Yugoslav Republic of Macedonia, Tonga, Trinidad and Tobago, Tuvalu, Ukraine, United States of America, Vanuatu

* *In favour:* Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belarus, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Central African Republic, Chile, China, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, Eritrea, Estonia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Viet Nam, Yemen, Zambia, Zimbabwe

Against: Turkey

Abstaining: Colombia, Venezuela

58/240. Oceans and the law of the sea

The General Assembly,

Recalling its resolutions 49/28 of 6 December 1994, 52/26 of 26 November 1997, 54/33 of 24 November 1999, 57/141 of 12 December 2002 and other relevant resolutions adopted subsequent to the entry into force of the United Nations Convention on the Law of the Sea ("the Convention")[223] on 16 November 1994,

Emphasizing the universal and unified character of the Convention and its fundamental importance for the maintenance and strengthening of international peace and security, as well as for the sustainable development of the oceans and seas,

Reaffirming that the Convention sets out the legal framework within which all activities in the oceans and seas must be carried out and is of strategic importance as the basis for national, regional and global action and cooperation in the marine sector, and that its integrity needs to be maintained, as recognized also by the United Nations Conference on Environment and Development in chapter 17 of Agenda 21,[224]

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[223] See *The Law of the Sea: Official Texts of the United Nations Convention on the Law of the Sea of 10 December 1982 and of the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982 with Index and Excerpts from the Final Act of the Third United Nations Conference on the Law of the Sea* (United Nations publication, Sales No. E.97.V.10).

Conscious that the problems of ocean space are closely interrelated and need to be considered as a whole through an integrated, interdisciplinary and intersectoral approach,

Convinced of the need, building on arrangements established in accordance with the Convention, to improve coordination at the national level and cooperation and coordination at both intergovernmental and inter-agency levels, in order to address all aspects of oceans and seas in an integrated manner,

Recognizing the important role that the competent international organizations have in relation to ocean affairs, in implementing the Convention and in promoting the sustainable development of the oceans and seas,

Recalling the essential role of international cooperation and coordination in promoting the integrated management and sustainable development of the oceans and seas, and recalling also that the role of international cooperation and coordination on a bilateral basis and, where applicable, within a subregional, regional, interregional or global framework is to support and supplement the national efforts of all States, including coastal States, in promoting the implementation and observance of the Convention and the integrated management and sustainable development of coastal and marine areas,

Underlining once again the essential need for capacity-building to ensure that all States, especially developing countries, in particular least developed countries and small island developing States, as well as coastal African States, are able both to implement the Convention and to benefit from the sustainable development of the oceans and seas,

Underlining the essential need for capacity-building to ensure that all States, especially developing countries, in particular least developed countries and small island developing States, are able to participate fully in global and regional forums and processes dealing with oceans and law of the sea issues,

Emphasizing the need to strengthen the ability of competent international organizations to contribute, at the global, regional, subregional and bilateral levels, including through cooperation programmes with Governments, to the development of national and local capacity in marine science and the sustainable management of oceans and their resources,

Recalling the recommendations of the World Summit on Sustainable Development, including to establish by 2004 a regular process under the United Nations for global reporting and assessment of the state of the marine environment, including socio-economic aspects, both current and foreseeable, building on existing regional assessments,[225] and the decision of the General Assembly in its resolution 57/141 to establish such a process by 2004,

Reiterating its deep concern at the situation of many of the world's fisheries, caused principally by overcapacity, overfishing and illegal, unregulated and unreported fishing, as well as, in many areas, pollution,

Reiterating its concern at the adverse impacts on the marine environment, in particular on vulnerable marine ecosystems, including coral, of human activities, such as overutilization of living marine resources, the use of destructive fishing practices, physical impacts by ships, the introduction of alien invasive species and marine pollution from all sources, including from land-based sources and vessels, in particular through the illegal release of oil and other harmful substances and from dumping, including the dumping of hazardous waste such as radioactive materials, nuclear waste and dangerous chemicals,

Recognizing that hydrographic surveys and nautical charting are critical to the safety of navigation and life at sea, environmental protection, including vulnerable marine ecosystems and the economics of the global shipping industry, and recognizing in this regard that the move towards electronic charting not only provides significantly increased benefits for safe navigation and management of ship movement, but also provides data and information that can be used for sustainable fisheries activities and other sectoral uses of the marine environment, the delimitation of maritime boundaries and environmental protection,

Welcoming the convening by the International Atomic Energy Agency of the International Conference on the Safety of Transport of Radioactive Material, as well as the outcomes of the Conference, which provided an opportunity for States to address issues relating to the transport of radioactive materials, including by sea,

Taking note of the report of the Secretary-General,[226] and emphasizing in this regard the critical role of the annual comprehensive report of the Secretary-General, which integrates information on developments relating to the implementation of the Convention and the work of the Organization, its specialized agencies and other institutions in the field of ocean affairs and the law of the sea at the global and regional levels, and as a result constitutes the basis for the annual consideration and review of developments relating to ocean affairs and the law of the sea by the General Assembly as the global institution having the competence to undertake such a review,

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[224] *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3–14 June 1992* (United Nations publication, Sales No. E.93.I.8 and corrigenda), vol. I: *Resolutions adopted by the Conference*, resolution 1, annex II.

[225] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 2, annex, para. 36 (*b*).

[226] A/58/65 and Add.1.

Taking note also of the report on the work of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea ("the Consultative Process"), established by the General Assembly in its resolution 54/33 in order to facilitate the annual review by the Assembly of developments in ocean affairs, at its fourth meeting,[227]

Noting the responsibilities of the Secretary-General under the Convention and related resolutions of the General Assembly, in particular resolutions 49/28, 52/26 and 54/33, and in this context the expected increase in responsibilities of the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs of the Secretariat in view of the anticipated receipt of submissions from States to the Commission on the Limits of the Continental Shelf ("the Commission"), in addition to the expected growing involvement of the Division with new developments such as the regular process for global reporting and assessment of the state of the marine environment, including socio-economic aspects, and with requests for technical assistance from States, and the role of the Division in inter-agency coordination and cooperation,

I

Implementation of the Convention and related agreements and instruments

1. *Calls upon* all States that have not done so, in order to achieve the goal of universal participation, to become parties to the Convention[223] and the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982 ("the Agreement");[223]

2. *Reaffirms* the unified character of the Convention;

3. *Calls upon* States that have not done so to become parties to the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks;[228]

4. *Once again calls upon* States to harmonize, as a matter of priority, their national legislation with the provisions of the Convention, to ensure the consistent application of those provisions and to ensure also that any declarations or statements that they have made or make when signing, ratifying or acceding to the Convention are in conformity therewith and, otherwise, to withdraw any of their declarations or statements that are not in conformity;

5. *Encourages* States parties to the Convention to deposit with the Secretary-General charts and lists of geographical coordinates, as provided for in the Convention;

6. *Emphasizes* the essential need to improve the implementation of international agreements referred to in article 311 of the Convention and, where appropriate, to foster the conditions for the application of instruments of a voluntary nature, and recalls the important role of international organizations in achieving these goals;

II

Meeting of States Parties

7. *Takes note* of the report of the thirteenth Meeting of States Parties to the Convention;[229]

8. *Requests* the Secretary-General to convene the fourteenth Meeting of States Parties to the Convention in New York from 14 to 18 June 2004 and to provide the services required;

III

Settlement of disputes

9. *Notes with satisfaction* the continued contribution of the International Tribunal for the Law of the Sea ("the Tribunal") to the peaceful settlement of disputes in accordance with Part XV of the Convention, underlines the important role and authority of the Tribunal concerning the interpretation or application of the Convention and the Agreement, once again encourages States parties to the Convention that have not yet done so to consider making a written declaration choosing from the means set out in article 287 for the settlement of disputes concerning the interpretation or application of the Convention and the Agreement, and invites States parties to note the provisions of annexes V, VI, VII and VIII to the Convention concerning, respectively, conciliation, the Tribunal, arbitration and special arbitration;

10. *Equally pays tribute* to the important and long-standing role of the International Court of Justice with regard to the peaceful settlement of disputes concerning the law of the sea;

11. *Recalls* the obligation under article 296 of the Convention requiring all parties to a dispute before a court or a tribunal referred to in article 287 of the Convention to comply promptly with any decisions rendered by such court or tribunal;

12. *Encourages* States parties to the Convention that have not yet done so to nominate conciliators and arbitrators in accordance with annexes V and VII to the Convention, and requests the Secretary-General to continue to update and

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[227] See A/58/95.

[228] *International Fisheries Instruments with Index* (United Nations publication, Sales No. E.98.V.11), sect. I; see also A/CONF.164/37.

[229] SPLOS/103 and Corr.1.

circulate lists of these conciliators and arbitrators on a regular basis;

IV

The Area

13. *Notes* the progress of the discussion of issues relating to the regulations for prospecting and exploration for polymetallic sulphides and cobalt-rich crusts in the Area;

14. *Reiterates* the importance of the ongoing elaboration by the International Seabed Authority ("the Authority"), pursuant to article 145 of the Convention, of rules, regulations and procedures to ensure the effective protection of the marine environment, the protection and conservation of the natural resources of the Area and the prevention of damage to its flora and fauna from harmful effects that may arise from activities in the Area;

V

Effective functioning of the Authority and the Tribunal

15. *Appeals* to all States parties to the Convention to pay their assessed contributions to the Authority and to the Tribunal in full and on time, and appeals also to all former provisional members of the Authority to pay any outstanding contributions;

16. *Calls upon* States that have not done so to consider ratifying or acceding to the Agreement on the Privileges and Immunities of the Tribunal[230] and to the Protocol on the Privileges and Immunities of the Authority;[231]

VI

The continental shelf and the work of the Commission

17. *Encourages* States parties that are in a position to do so to make every effort to make submissions regarding the establishment of the outer limits of the continental shelf beyond 200 nautical miles to the Commission within the time period established by the Convention, taking into account the decision of the eleventh Meeting of States Parties to the Convention;[232]

18. *Approves* the convening by the Secretary-General of the thirteenth session of the Commission in New York from 26 to 30 April 2004, followed by two weeks of meetings of a subcommission in the event that a submission is made to the Commission, and of the fourteenth session of the Commission from 30 August to 3 September 2004, also followed by two weeks of meetings of a subcommission in the event that a submission is made;

19. *Encourages* States and relevant international organizations and institutions to consider developing and making available training courses to assist developing States in the preparation of such submissions, based on the outline for a five-day training course[233] prepared by the Commission in order to facilitate the preparation of submissions in accordance with its Scientific and Technical Guidelines;[234]

VII

Capacity-building

20. *Calls upon* bilateral and multilateral donor agencies and international financial institutions to keep their programmes systematically under review to ensure the availability in all States, particularly in developing States, of the economic, legal, navigational, scientific and technical skills necessary for the full implementation of the Convention and the objectives of the present resolution as well as the sustainable development of the oceans and seas nationally, regionally and globally, and in so doing to bear in mind the rights of landlocked developing States;

21. *Calls upon* States and international financial institutions, including through bilateral, regional and global cooperation programmes and technical partnerships, to continue to strengthen capacity-building activities, in particular in developing countries, in the field of marine scientific research by, inter alia, training the necessary skilled personnel, providing the necessary equipment, facilities and vessels, and transferring environmentally sound technologies;

22. *Encourages* States to assist developing States, and especially least developed States and small island developing States, as well as coastal African States, on a bilateral and, where appropriate, regional level, in the preparation of submissions to the Commission, including the assessment of the nature of the continental shelf of a coastal State made in the form of a desktop study, and the mapping of the outer limits of its continental shelf;

VIII

Safety of navigation and flag State implementation

23. *Encourages* States to ratify or accede to international agreements addressing the safety of navigation and to adopt the necessary measures consistent with the Convention, aimed at implementing and enforcing the rules contained in those agreements;

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[230] SPLOS/25.

[231] ISBA/4/A/8, annex.

[232] SPLOS/72.

[233] CLCS/24 and Corr.1.

[234] CLCS/11 and Corr.1 and Add.1 and Corr.1.

24. *Urges* States and regional economic integration organizations to work within the framework of the International Maritime Organization and in accordance with the Convention and international rules and regulations regarding measures related to the phase-out of single-hull tankers, and welcomes the organization's giving priority to the consideration of any proposals related thereto;

25. *Welcomes* the work of the International Maritime Organization in developing guidelines on places of refuge for ships in need of assistance, and encourages States to draw up plans and to establish procedures to implement those guidelines for ships in waters under their jurisdiction;

26. *Also welcomes* the adoption by the General Conference of the International Atomic Energy Agency at its forty-seventh session of resolution GC(47)/RES/7, concerning measures to strengthen international cooperation in nuclear, radiation and transport safety and waste management, including those aspects relating to maritime transport safety,[235] in which it requested the Agency to develop an action plan, in consultation with its member States and for approval by the Board of the Agency, if possible in March 2004, based on the results of the International Conference on the Safety of Transport of Radioactive Material and within the competence of the Agency;

27. *Urges* flag States without an effective maritime administration and appropriate legal frameworks to establish or enhance the necessary infrastructure, legislative and enforcement capabilities to ensure effective compliance with, and implementation and enforcement of, their responsibilities under international law and, until such action is undertaken, to consider declining the granting of the right to fly their flag to new vessels, suspending their registry or not opening a registry;

28. *Invites* the International Maritime Organization and other relevant competent international organizations to study, examine and clarify the role of the "genuine link" in relation to the duty of flag States to exercise effective control over ships flying their flag, including fishing vessels;

29. *Requests* the Secretary-General, in cooperation and consultation with relevant agencies, organizations and programmes of the United Nations system, to prepare and disseminate to States a comprehensive elaboration of the duties and obligations of flag States, including the potential consequences for non-compliance prescribed in the relevant international instruments;

30. *Encourages* the acceleration of the work of the International Maritime Organization in developing a voluntary model audit scheme, and urges the organization to strengthen its draft implementation code;

31. *Welcomes* the work of the Food and Agriculture Organization of the United Nations in promoting compliance by States and their fishing vessels with conservation and management measures, and requests the International Maritime Organization and the Food and Agriculture Organization to enhance their cooperation and coordination in their efforts with regard to flag State duties relating thereto, including through the Inter-Agency Consultative Group on Flag State Implementation during the period of the Group's existence;

32. *Also welcomes* the work of the International Labour Organization to consolidate and modernize international maritime labour standards, and calls upon Member States to take an active interest in the development of these new standards for seafarers and fishers;

33. *Recognizes* the important role of port State controls in promoting the effective enforcement by flag States of, and compliance by shipowners and charterers with, flag States' and internationally agreed safety, labour and pollution standards, as well as maritime security regulations and conservation and management measures, and further encourages Member States to improve the exchange of appropriate information between port States control authorities;

34. *Invites* the International Maritime Organization to strengthen its functions with regard to port State control in relation to safety and pollution standards as well as maritime security regulations and, in collaboration with the International Labour Organization, labour standards so as to promote the implementation of globally agreed minimum standards by all States, and invites the Food and Agriculture Organization of the United Nations to continue its work in promoting port State measures in relation to fishing vessels in order to combat illegal, unreported and unregulated fishing;

35. *Calls upon* flag and port States to take all measures consistent with international law necessary to prevent the operation of sub-standard vessels and illegal, unreported and unregulated fishing activities;

36. *Urges* all States, in cooperation with the International Maritime Organization, to combat piracy and armed robbery at sea by adopting measures, including those relating to assisance with capacity-building through training of seafarers, port staff and enforcement personnel in the prevention, reporting and investigation of incidents, bringing the alleged perpetrators to justice, in accordance with international law, and by adopting national legislation, as well as providing enforcement vessels and equipment and guarding against fraudulent ship registration;

37. *Calls upon* all States and relevant international bodies to cooperate in the prevention and combating of piracy and armed robbery at sea, and urges States to give urgent attention to promoting, concluding and implementing cooperation agreements, in particular at the regional level and in high-risk areas;

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[235] See International Atomic Energy Agency, *Resolutions and Other Decisions of the General Conference, Forty-seventh Regular Session, 15–19 September 2003* (GC(47)/RES/DEC(2003)).

38. *Urges* States to become parties to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation and its Protocol,[236] invites States to participate in the review of those instruments by the Legal Committee of the International Maritime Organization to strengthen the means of combating such unlawful acts, including terrorist acts, and further urges States to take appropriate measures to ensure the effective implementation of those instruments, in particular through the adoption of legislation, where appropriate, aimed at ensuring that there is a proper framework for responses to incidents of armed robbery and terrorist acts at sea;

39. *Calls upon* States to work together cooperatively and with the International Maritime Organization to strengthen measures to prevent the embarkation of ships involved in the smuggling of migrants;

40. *Once again urges* States that have not yet done so to become parties to the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime,[237] and to take appropriate measures to ensure its effective implementation;

41. *Welcomes* the work of the International Maritime Organization in developing amendments to the International Convention for the Safety of Life at Sea and to the International Convention on Maritime Search and Rescue on the delivery of persons rescued at sea to a place of safety;

IX

Capacity-building for the production of nautical charts

42. *Welcomes* the work of the International Hydrographic Organization and its fourteen regional hydrographic commissions and encourages increased membership of the organization, noting the capacity of the organization to provide technical assistance, facilitate training and identify potential funding sources for the development or improvement of hydrographic services, and calls upon States and agencies to support the trust fund of the organization and examine the possibility of partnerships with the private sector;

43. *Invites* the International Hydrographic Organization and the International Maritime Organization to continue their coordinated efforts, to jointly adopt measures with a view to encouraging greater international cooperation and coordination for the transition to electronic nautical charts and to increase the coverage of hydrographic information on a global basis, especially in the areas of international navigation and ports and where there are vulnerable or protected marine areas;

44. *Encourages* intensified efforts to build capacity for developing countries, in particular for the least developed countries and small island developing States, as well as coastal African States, to improve hydrographic services and the production of nautical charts, including the mobilization of resources and building of capacity with support from international financial institutions and the donor community, recognizing that economies of scale can apply in some instances at the regional level through shared facilities, technical capabilities and information for the provision of hydrographic services and the preparation of and access to nautical charts;

45. *Welcomes* the adoption of criteria and guidelines on the transfer of marine technology by the Intergovernmental Oceanographic Commission;[238]

X

Marine environment, marine resources and the protection of vulnerable marine ecosystems

46. *Emphasizes once again* the importance of the implementation of Part XII of the Convention in order to protect and preserve the marine environment and its living marine resources against pollution and physical degradation, and calls upon all States to cooperate and take measures, directly or through competent international organizations, for the protection and preservation of the marine environment;

47. *Calls upon* States to continue to prioritize action on marine pollution from land-based sources as part of their national sustainable development strategies and programmes, in an integrated and inclusive manner, as a means of implementing the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities;[239]

48. *Welcomes* the continued work of States, the United Nations Environment Programme and regional organizations in the implementation of the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities, and encourages increased emphasis on the link between freshwater, the coastal zone and marine resources in the implementation of the Millennium Development Goals, taking into account the time-bound targets in the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation"),[240] in particular the target on sanitation, and the Monterrey Consensus

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[236] International Maritime Organization publication, Sales No. 462.88.12E.

[237] Resolution 55/25, annex III.

[238] See IOC-XXII/2 Annex 12 rev.

[239] A/51/116, annex II.

[240] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 2, annex.

of the International Conference on Financing for Development;[241]

49. *Calls upon* States to advance the implementation of the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities and the Montreal Declaration on the Protection of the Marine Environment from Land-based Activities,[242] to enhance maritime safety and the protection of the marine environment from pollution and other physical impacts, and to improve the scientific understanding and assessment of marine and coastal ecosystems as a fundamental basis for sound decision-making through the actions identified in the Johannesburg Plan of Implementation;

50. *Welcomes* the work of the Convention on Biological Diversity,[243] the Food and Agriculture Organization of the United Nations and other relevant global and regional organizations in the development of strategies and programmes for the implementation of an integrated ecosystem-based approach to management, and urges those organizations to cooperate in the development of practical guidance in this regard;

51. *Reiterates its call* for urgent consideration of ways to integrate and improve, on a scientific basis, the management of risks to the marine biodiversity of seamounts, cold water coral reefs and certain other underwater features;

52. *Invites* the relevant global and regional bodies, in accordance with their mandates, to investigate urgently how to better address, on a scientific basis, including the application of precaution, the threats and risks to vulnerable and threatened marine ecosystems and biodiversity in areas beyond national jurisdiction; how existing treaties and other relevant instruments can be used in this process consistent with international law, in particular with the Convention, and with the principles of an integrated ecosystem-based approach to management, including the identification of those marine ecosystem types that warrant priority attention; and to explore a range of potential approaches and tools for their protection and management; and requests the Secretary-General to cooperate and liaise with those bodies and to submit an addendum to his annual report to the General Assembly at its fifty-ninth session, describing the threats and risks to such marine ecosystems and biodiversity in areas beyond national jurisdiction as well as details on any conservation and management measures in place at the global, regional, subregional or national levels addressing these issues;

53. *Notes* the scientific and technical work under the Convention on Biological Diversity relating to marine and coastal biodiversity;

54. *Reaffirms* the efforts of States to develop and facilitate the use of diverse approaches and tools for conserving and managing vulnerable marine ecosystems, including the establishment of marine protected areas, consistent with international law and based on the best scientific information available, and the development of representative networks of such marine protected areas by 2012;

55. *Encourages* States, in accordance with the Convention and other relevant instruments, either bilaterally or regionally, to jointly develop and promote contingency plans for responding to pollution incidents, as well as other incidents that are likely to have significant adverse effects on marine biodiversity;

56. *Urges* States and relevant global and regional bodies to enhance their cooperation in the protection and preservation of coral reefs, mangroves and seagrass beds, including through the exchange of information;

57. *Reiterates its support* for the International Coral Reef Initiative and welcomes the outcomes of the Second International Tropical Marine Ecosystems Management Symposium, held in Manila in 2003, supports the work under the Jakarta Mandate on the Conservation and Sustainable Use of Marine and Coastal Biological Diversity,[244] and notes that the International Coral Reef Initiative and other relevant bodies are considering incorporating cold water coral ecosystems into their programmes of activities;

58. *Encourages* States to cooperate, directly or through competent international bodies, in exchanging information in the event of accidents involving foreign vessels on coral reefs, and in promoting the development of economic assessment techniques for both restoration and non-use values of coral reef systems;

59. *Emphasizes* the need to mainstream coral reef management approaches into national development strategies, as well as into the activities of relevant United Nations agencies and programmes, international financial institutions and the donor community;

60. *Welcomes* the convening by the International Maritime Organization of a diplomatic conference to adopt an international convention for the control and management of ships' ballast waters and sediments;

61. *Notes with interest* the ongoing discussions in the Marine Environment Protection Committee of the International Maritime Organization on the designation of the Western

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[241] *Report of the International Conference on Financing for Development, Monterrey, Mexico, 18–22 March 2002* (United Nations publication, Sales No. E.02.II.A.7), chap. I, resolution 1, annex.

[242] E/CN.17/2002/PC.2/15, annex, sect. 1.

[243] United Nations, *Treaty Series*, vol. 1760, No. 30619.

[244] See A/51/312, annex II, decision II/10.

European Atlantic coast and the English Channel as a particularly sensitive sea area, and encourages the organization to consider the eventual adoption of the proposed associated protective measure as long as it is consistent with the Convention;

XI

Regional cooperation

62. *Emphasizes once again* the importance of regional organizations and arrangements for cooperation and coordination in integrated oceans management, and, where there are separate regional structures for different aspects of oceans management, such as environmental protection, fisheries management, navigation, scientific research and maritime delimitation, calls for those different structures, where appropriate, to work together for optimal cooperation and coordination;

63. *Notes* that there have been a number of initiatives at the regional level, in various regions, to further the implementation of the Convention, and in this context notes the results of the Second Plenary Meeting of the Conference on Maritime Delimitation in the Caribbean, held in Mexico City on 13 and 14 October 2003, as well as of the functioning of its Caribbean-focused Assistance Fund, which is intended to facilitate, mainly through technical assistance, the voluntary undertaking of maritime delimitation negotiations between Caribbean States, takes note once again of the Fund for Peace: Peaceful Settlement of Territorial Disputes established by the General Assembly of the Organization of American States in 2000 as a primary mechanism, given its broader regional scope, for the prevention and resolution of pending territorial, land border and maritime boundary disputes, and calls upon States and others in a position to do so to contribute to these Funds;

XII

Regular process for global reporting and assessment of the state of the marine environment, including socio-economic aspects

64. *Welcomes* the report of the Secretary-General containing proposals on modalities for the establishment of a regular process under the United Nations for global reporting and assessment of the state of the marine environment, including socio-economic aspects,[245] and requests the Secretary-General, in close collaboration with Member States, relevant organizations and agencies and programmes of the United Nations system, other competent intergovernmental organizations and relevant non-governmental organizations, to take the following steps to establish the regular process by 2004:

(*a*) Convene a group of experts of no more than twenty-four participants, comprising representatives of States, including all regional groups, and representatives from intergovernmental organizations and non-governmental organizations, including scientists and policy makers, to produce, including by possibly hiring a consultant, a draft document with details on the scope, general framework and outline of the regular process, peer review, secretariat, capacity-building and funding, and to consider, review and refine the draft document;

(*b*) Transmit the draft document to States and relevant intergovernmental organizations, non-governmental organizations, scientific associations, funding mechanisms and other parties for written comments and for indication of specific issues to be addressed in the first assessment;

(*c*) Request the group of experts to revise the draft document in the light of comments made;

(*d*) Convene an international workshop with representatives from all interested parties, in conjunction with the fifth meeting of the Consultative Process, to further consider and review the draft document;

(*e*) Convene an intergovernmental meeting to finalize and adopt the document and to formally establish the regular process;

65. *Accepts* the offer of the Government of Iceland to host this intergovernmental meeting in Reykjavik in 2004, in accordance with paragraph 17 of resolution 47/202 A of 22 December 1992;

66. *Requests* the Secretary-General to report to the General Assembly at its fifty-ninth session on the development of the regular process;

XIII

Open-ended informal consultative process on oceans and the law of the sea

67. *Requests* the Secretary-General to convene the fifth meeting of the Consultative Process in New York from 7 to 11 June 2004, and to provide it with the necessary facilities for the performance of its work and to arrange for support to be provided by the Division for Ocean Affairs and the Law of the Sea, in cooperation with other relevant parts of the Secretariat, including the Division for Sustainable Development of the Department of Economic and Social Affairs, as appropriate;

68. *Recommends* that, in its deliberations on the report of the Secretary-General on oceans and the law of the sea at its meeting, the Consultative Process should organize its discussions around the following areas:

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[245] A/58/423.

> New sustainable uses of the oceans, including the conservation and management of the biological diversity of the seabed in areas beyond national jurisdiction;

as well as issues discussed at previous meetings;

XIV

Inter-agency coordination and cooperation

69. *Reiterates its request* to the Secretary-General to establish an effective, transparent and regular inter-agency coordinating mechanism for issues relating to oceans and seas within the United Nations system, taking into account paragraph 49 of Part A of the report of the Consultative Process at its third meeting;[246]

70. *Requests* the Secretary-General to bring the present resolution to the attention of heads of intergovernmental organizations, the specialized agencies and funds and programmes of the United Nations engaged in activities relating to ocean affairs and the law of the sea, drawing their attention to paragraphs of particular relevance to them, and underlines the importance of their constructive and timely input for the report of the Secretary-General on oceans and the law of the sea and of their participation in relevant meetings and processes;

71. *Invites* the competent international organizations, as well as funding institutions, to take specific account of the present resolution in their programmes and activities and to contribute to the preparation of the comprehensive report of the Secretary-General on oceans and the law of the sea;

XV

Activities of the Division for Ocean Affairs and the Law of the Sea

72. *Expresses its appreciation* to the Secretary-General for the annual comprehensive report on oceans and the law of the sea,[226] prepared by the Division for Ocean Affairs and the Law of the Sea, as well as for the other activities of the Division, in accordance with the provisions of the Convention and the mandate set forth in resolutions 49/28, 52/26, 54/33, and 56/12 of 28 November 2001;

73. *Requests* the Secretary-General to continue to carry out the responsibilities entrusted to him in the Convention and related resolutions of the General Assembly, including resolutions 49/28 and 52/26, and to ensure that appropriate resources are made available to the Division for Ocean Affairs and the Law of the Sea for the performance of such responsibilities under the approved budget for the Organization;

74. *Invites* Member States and others in a position to do so to support the training activities under the TRAIN-SEA-COAST Programme of the Division for Ocean Affairs and the Law of the Sea;

XVI

Trust funds and fellowships

75. *Recognizes* the importance of assisting developing countries, in particular the least developed countries and small island developing States, in implementing the Convention, and urges States, intergovernmental organizations and agencies, national institutions, non-governmental organizations and international financial institutions, as well as natural and juridical persons, to make voluntary financial or other contributions to the trust funds, as referred to in resolution 57/141, established for this purpose;

76. *Also recognizes* the importance of the Trust Fund for preparation of submissions to the Commission in assisting developing States, in particular the least developed countries and small island developing States, in preparing their submissions where their continental shelves extend beyond 200 nautical miles and, in order to facilitate the management of the Trust Fund, amends, as set out in the annex to the present resolution, sections 1, 4 and 6 of the terms of reference, guidelines and rules of the Trust Fund, as contained in annex II to resolution 55/7 of 30 October 2000, in accordance with paragraph 31 of the annex;

77. *Urges* Member States and others in a position to do so to contribute to the further development of the Hamilton Shirley Amerasinghe Memorial Fellowship Programme on the Law of the Sea established by the General Assembly in its resolution 35/116 of 10 December 1980;

XVII

Fifty-ninth session of the General Assembly

78. *Requests* the Secretary-General to report to the General Assembly at its fifty-ninth session on the implementation of the present resolution, including other developments and issues relating to ocean affairs and the law of the sea, in connection with his annual comprehensive report on oceans and the law of the sea, and to provide the report in accordance with the modalities set out in resolutions 49/28, 52/26 and 54/33, and also requests the Secretary-General to make the report available, in its current comprehensive format, at least six weeks in advance of the meeting of the Consultative Process;

79. *Decides* to include in the provisional agenda of its fifty-ninth session the item entitled "Oceans and the law of the sea".

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[246] See A/57/80.

Annex

Amendments to the terms of reference, guidelines and rules of the Trust Fund for the purpose of facilitating the preparation of submissions to the Commission on the Limits of the Continental Shelf for developing States, in particular the least developed countries and small island developing States, and compliance with article 76 of the United Nations Convention on the Law of the Sea

1. Reasons for establishing the Trust Fund

In paragraph 2, amend the last sentence to read:

"The earliest deadline for submission for States is 13 May 2009."

4. Application for financial assistance

In paragraph 17, amend sub-item (*a*) (iv) to read:

"(iv) The curriculum vitae of the trainees, including their date of birth;"

6. Granting of assistance

Amend paragraph 23 to read:

"23. The Secretary-General will provide financial assistance from the Fund for requests approved on the basis of the evaluation and recommendation of the Division on the advice of the Panel of Experts. Payments will be processed by the Organization in accordance with standard practices."

II. Resolutions adopted on the reports of the First Committee

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RESOLUTION 58/28

Adopted at the 71st plenary meeting, on 8 December 2003, without a vote, on the recommendation of the Committee (A/58/451, para. 7)[1]

58/28. Objective information on military matters, including transparency of military expenditures

The General Assembly,

Recalling its resolutions 53/72 of 4 December 1998, 54/43 of 1 December 1999 and 56/14 of 29 November 2001 on objective information on military matters, including transparency of military expenditures,

Also recalling its resolution 35/142 B of 12 December 1980, which introduced the United Nations system for the standardized reporting of military expenditures, and its resolutions 48/62 of 16 December 1993, 49/66 of 15 December 1994, 51/38 of 10 December 1996 and 52/32 of 9 December 1997, calling upon all Member States to participate in it, and its resolution 47/54 B of 9 December 1992, endorsing the guidelines and recommendations for objective information on military matters and inviting Member States to provide the Secretary-General with relevant information regarding their implementation,

Noting that since then, national reports on military expenditures and on the guidelines and recommendations for objective information on military matters have been submitted by a number of Member States belonging to different geographic regions,

Convinced that the improvement of international relations forms a sound basis for promoting further openness and transparency in all military matters,

Also convinced that transparency in military matters is an essential element for building a climate of trust and confidence between States worldwide and that a better flow of objective information on military matters can help to relieve international tension and is therefore an important contribution to conflict prevention,

Noting the role of the standardized reporting system, as instituted through its resolution 35/142 B, as an important instrument to enhance transparency in military matters,

Conscious that the value of the standardized reporting system would be enhanced by a broader participation of Member States,

Welcoming, therefore, the report of the Secretary-General[2] on ways and means to implement the guidelines and recommendations for objective information on military matters, including, in particular, how to strengthen and broaden participation in the standardized reporting system,

Recalling that the guidelines and recommendations for objective information on military matters recommended certain areas for further consideration, such as the improvement of the standardized reporting system,

Noting the efforts of several regional organizations to promote transparency of military expenditures, including standardized annual exchanges of relevant information among their member States,

1. *Calls upon* Member States to report annually, by 30 April, to the Secretary-General their military expenditures for the latest fiscal year for which data are available, using, preferably and to the extent possible, the reporting instrument as recommended in its resolution 35/142 B or, as appropriate, any other format developed in conjunction with similar reporting on military expenditures to other international or regional organizations, and, in the same context, encourages Member States to submit nil returns, if appropriate;

2. *Recommends* the guidelines and recommendations for objective information on military matters to all Member States for implementation, fully taking into account specific political, military and other conditions prevailing in a region, on the basis of initiatives and with the agreement of the States of the region concerned;

3. *Encourages* relevant international bodies and regional organizations to promote transparency of military expenditures and to enhance complementarity among reporting systems, taking into account the particular characteristics of each region, and to consider the possibility of an exchange of information with the United Nations;

4. *Takes note* of the report of the Secretary-General on objective information on military matters, including transparency of military expenditures;[3]

5. *Requests* the Secretary-General, within available resources:

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[1] The draft resolution recommended in the report was sponsored in the Committee by: Argentina, Armenia, Australia, Austria, Belgium, Bolivia, Brazil, Bulgaria, Burkina Faso, Canada, Chile, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Ecuador, Estonia, Finland, France, Georgia, Germany, Greece, Grenada, Guatemala, Haiti, Hungary, Iceland, Ireland, Italy, Jamaica, Japan, Kazakhstan, Latvia, Lesotho, Liechtenstein, Lithuania, Luxembourg, Madagascar, Mali, Malta, Monaco, Nauru, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Peru, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, San Marino, Senegal, Serbia and Montenegro, Sierra Leone, Slovakia, Slovenia, Spain, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Trinidad and Tobago, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America and Uruguay.

[2] A/54/298.

[3] A/58/202.

(*a*) To continue the practice of sending an annual note verbale to Member States requesting the submission of data to the United Nations system for the standardized reporting of military expenditures, together with the reporting format and related instructions, and to publish in a timely fashion in appropriate United Nations media the due date for transmitting data on military expenditures;

(*b*) To circulate annually the reports on military expenditures as received from Member States;

(*c*) To continue consultations with relevant international bodies, within existing resources, with a view to ascertaining requirements for adjusting the present instrument, with a view to encouraging wider participation, and to make recommendations, based on the outcome of those consultations and taking into account the views of Member States, on necessary changes to the content and structure of the standardized reporting system;

(*d*) To encourage relevant international bodies and organizations to promote transparency of military expenditures and to consult with those bodies and organizations with emphasis on examining possibilities for enhancing complementarity among international and regional reporting systems and for exchanging related information between those bodies and the United Nations;

(*e*) To encourage the United Nations regional centres for peace and disarmament in Africa, in Asia and the Pacific, and in Latin America and the Caribbean to assist Member States in their regions in enhancing their knowledge of the standardized reporting system;

(*f*) To promote international and regional/subregional symposia and training seminars to explain the purpose of the standardized reporting system and to give relevant technical instructions;

(*g*) To report on experiences gained during such symposia and training seminars;

6. *Encourages* Member States:

(*a*) To inform the Secretary-General about possible problems with the standardized reporting system and their reasons for not submitting the requested data;

(*b*) To continue to provide the Secretary-General, in time for deliberation by the General Assembly at its sixtieth session, with their views and suggestions on ways and means to strengthen and broaden participation in the standardized reporting system, including necessary changes to its content and structure;

7. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "Objective information on military matters, including transparency of military expenditures".

RESOLUTION 58/29

Adopted at the 71st plenary meeting, on 8 December 2003, on the recommendation of the Committee (A/58/453, para. 7),[4] by a recorded vote of 130 to 3, with 42 abstentions, as follows:

In favour: Afghanistan, Algeria, Antigua and Barbuda, Argentina, Armenia, Australia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Marshall Islands, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Portugal, Qatar, Republic of Korea, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Singapore, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia

Against: France, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Albania, Andorra, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Micronesia (Federated States of), Monaco, Netherlands, Norway, Poland, Republic of Moldova, Romania, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey

58/29. Implementation of the Declaration of the Indian Ocean as a Zone of Peace

The General Assembly,

Recalling the Declaration of the Indian Ocean as a Zone of Peace, contained in its resolution 2832 (XXVI) of 16 December 1971, and recalling also its resolutions 54/47 of 1 December 1999 and 56/16 of 29 November 2001 and other relevant resolutions,

Recalling also the report of the Meeting of the Littoral and Hinterland States of the Indian Ocean held in July 1979,[5]

Recalling further paragraph 102 of the Final Document of the Thirteenth Conference of Heads of State or Government of

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[4] The draft resolution recommended in the report was sponsored in the Committee by Malaysia (on behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries) and Nauru.

[5] *Official Records of the General Assembly, Thirty-fourth Session, Supplement No. 45* and corrigendum (A/34/45 and Corr.1).

Non-Aligned Countries, held at Kuala Lumpur, from 20 to 25 February 2003,[6] in which it was noted, inter alia, that the Chairperson of the Ad Hoc Committee on the Indian Ocean would continue his informal consultations on the future work of the Committee,

Emphasizing the need to foster consensual approaches that are conducive to the pursuit of such endeavours,

Noting the initiatives taken by countries of the region to promote cooperation, in particular economic cooperation, in the Indian Ocean area and the possible contribution of such initiatives to overall objectives of a zone of peace,

Convinced that the participation of all permanent members of the Security Council and the major maritime users of the Indian Ocean in the work of the Ad Hoc Committee is important and would assist the progress of a mutually beneficial dialogue to develop conditions of peace, security and stability in the Indian Ocean region,

Considering that greater efforts and more time are required to develop a focused discussion on practical measures to ensure conditions of peace, security and stability in the Indian Ocean region,

Having considered the report of the Ad Hoc Committee on the Indian Ocean,[7]

1. *Takes note* of the report of the Ad Hoc Committee on the Indian Ocean;[7]

2. *Reiterates its conviction* that the participation of all permanent members of the Security Council and the major maritime users of the Indian Ocean in the work of the Ad Hoc Committee is important and would greatly facilitate the development of a mutually beneficial dialogue to advance peace, security and stability in the Indian Ocean region;

3. *Requests* the Chairman of the Ad Hoc Committee to continue his informal consultations with the members of the Committee and to report through the Committee to the General Assembly at its sixtieth session;

4. *Requests* the Secretary-General to continue to render, within existing resources, all necessary assistance to the Ad Hoc Committee, including the provision of summary records;

5. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "Implementation of the Declaration of the Indian Ocean as a Zone of Peace".

RESOLUTION 58/30

Adopted at the 71st plenary meeting, on 8 December 2003, without a vote, on the recommendation of the Committee (A/58/454, para. 9)[8]

58/30. African Nuclear-Weapon-Free Zone Treaty (Treaty of Pelindaba)

The General Assembly,

Recalling its resolutions 51/53 of 10 December 1996 and 56/17 of 29 November 2001 and all its other relevant resolutions, as well as those of the Organization of African Unity,

Recalling also the signing of the African Nuclear-Weapon-Free Zone Treaty (Treaty of Pelindaba)[9] at Cairo on 11 April 1996,

Recalling further the Cairo Declaration adopted on that occasion,[10] which emphasized that nuclear-weapon-free zones, especially in regions of tension, such as the Middle East, enhance global and regional peace and security,

Taking note of the statement made by the President of the Security Council on behalf of the members of the Council on 12 April 1996,[11] affirming that the signature of the African Nuclear-Weapon-Free Zone Treaty constituted an important contribution by the African countries to the maintenance of international peace and security,

Considering that the establishment of nuclear-weapon-free zones, especially in the Middle East, would enhance the security of Africa and the viability of the African nuclear-weapon-free zone,

1. *Calls upon* African States that have not yet done so to sign and ratify the African Nuclear-Weapon-Free Zone Treaty (Treaty of Pelindaba)[9] as soon as possible so that it may enter into force without delay;

2. *Expresses its appreciation* to the nuclear-weapon States that have signed the Protocols that concern them, and calls upon those that have not yet ratified the Protocols concerning them to do so as soon as possible;

3. *Calls upon* the States contemplated in Protocol III to the Treaty that have not yet done so to take all necessary measures to ensure the speedy application of the Treaty to territories for which they are, de jure or de facto, internationally

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[6] See A/57/759-S/2003/332, annex I.

[7] *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 29* (A/58/29).

[8] The draft resolution recommended in the report was sponsored in the Committee by Nigeria (on behalf of the States Members of the United Nations that are members of the Group of African States) and Nauru.

[9] See A/50/426, annex.

[10] A/51/113-S/1996/276, annex.

[11] S/PRST/1996/17; see *Resolutions and Decisions of the Security Council, 1996*.

responsible and that lie within the limits of the geographical zone established in the Treaty;

4. *Calls upon* the African States parties to the Treaty on the Non-Proliferation of Nuclear Weapons[12] that have not yet done so to conclude comprehensive safeguards agreements with the International Atomic Energy Agency pursuant to the Treaty, thereby satisfying the requirements of article 9 (*b*) of and annex II to the Treaty of Pelindaba when it enters into force, and to conclude additional protocols to their safeguards agreements on the basis of the Model Protocol approved by the Board of Governors of the Agency on 15 May 1997;[13]

5. *Expresses its gratitude* to the Secretary-General, the Chairman of the Commission of the African Union and the Director General of the International Atomic Energy Agency for the diligence with which they have rendered effective assistance to the signatories to the Treaty;

6. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "African Nuclear-Weapon-Free Zone Treaty".

RESOLUTION 58/31

Adopted at the 71st plenary meeting, on 8 December 2003, without a vote, on the recommendation of the Committee (A/58/455, para. 7)[14] and as orally amended

58/31. Consolidation of the regime established by the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco)

The General Assembly,

Recalling that the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco)[15] was opened for signature at Mexico City on 14 February 1967,

Recalling also that, in its preamble, the Treaty of Tlatelolco states that military denuclearized zones are not an end in themselves but rather a means for achieving general and complete disarmament at a later stage,

Recalling further that, in its resolution 2286 (XXII) of 5 December 1967, it welcomed with special satisfaction the Treaty of Tlatelolco as an event of historic significance in the efforts to prevent the proliferation of nuclear weapons and to promote international peace and security,

Recalling that in 1990, 1991 and 1992 the General Conference of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean approved and opened for signature a set of amendments[16] to the Treaty of Tlatelolco, with the aim of enabling the full entry into force of that instrument,

Highlighting that, with the ratification of Cuba, the Treaty of Tlatelolco is now in force for thirty-three sovereign States of the region, thereby consolidating the first nuclear-weapon-free zone established in a densely populated region,

Noting with satisfaction the interest that the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean has manifested to promote mechanisms of cooperation and consultation in other nuclear-weapon-free zones,

Reaffirming the importance of strengthening the Agency as the appropriate legal and political forum for ensuring cooperation with the agencies of other nuclear-weapon-free zones,

1. *Welcomes* the fact that the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco)[15] is now in force for the sovereign States of the region, and that this fact was officially acknowledged by the General Conference of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean at its eighteenth session, held at Havana on 5 and 6 November 2003, and takes note of the results of the aforementioned session of the General Conference, including the adoption of the Havana Declaration;[17]

2. *Urges* the countries of the region that have not yet done so to deposit their instruments of ratification of the amendments to the Treaty of Tlatelolco approved by the General Conference of the Agency in its resolutions 267 (E-V), 268 (XII) and 290 (E-VII);

3. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "Consolidation of the regime established by the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco)".

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[12] United Nations, *Treaty Series*, vol. 729, No. 10485.

[13] International Atomic Energy Agency, INFCIRC/540 (Corrected).

[14] The draft resolution recommended in the report was sponsored in the Committee by: Antigua and Barbuda, Argentina, Bahamas, Barbados, Belize, Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, Dominica, Dominican Republic, Ecuador, El Salvador, Grenada, Guatemala, Guyana, Haiti, Honduras, Jamaica, Mexico, Nauru, Nicaragua, Panama, Paraguay, Peru, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Suriname, Trinidad and Tobago, Uruguay and Venezuela.

[15] United Nations, *Treaty Series*, vol. 634, No. 9068.

[16] A/47/467, annex.

[17] See resolution CG/Res.457 of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean, available from www.opanal.org.

RESOLUTION 58/32

Adopted at the 71st plenary meeting, on 8 December 2003, without a vote, on the recommendation of the Committee (A/58/457, para. 8)[18]

58/32. Developments in the field of information and telecommunications in the context of international security

The General Assembly,

Recalling its resolutions 53/70 of 4 December 1998, 54/49 of 1 December 1999, 55/28 of 20 November 2000, 56/19 of 29 November 2001 and 57/53 of 22 November 2002,

Recalling also its resolutions on the role of science and technology in the context of international security, in which, inter alia, it recognized that scientific and technological developments could have both civilian and military applications and that progress in science and technology for civilian applications needed to be maintained and encouraged,

Noting that considerable progress has been achieved in developing and applying the latest information technologies and means of telecommunication,

Affirming that it sees in this process the broadest positive opportunities for the further development of civilization, the expansion of opportunities for cooperation for the common good of all States, the enhancement of the creative potential of humankind and additional improvements in the circulation of information in the global community,

Recalling, in this connection, the approaches and principles outlined at the Information Society and Development Conference, held in Midrand, South Africa, from 13 to 15 May 1996,

Bearing in mind the results of the Ministerial Conference on Terrorism, held in Paris on 30 July 1996, and the recommendations that it made,[19]

Noting that the dissemination and use of information technologies and means affect the interests of the entire international community and that optimum effectiveness is enhanced by broad international cooperation,

Expressing its concern that these technologies and means can potentially be used for purposes that are inconsistent with the objectives of maintaining international stability and security and may adversely affect the integrity of the infrastructure of States to the detriment of their security in both civil and military fields,

Considering that it is necessary to prevent the use of information resources or technologies for criminal or terrorist purposes,

Noting the contribution of those Member States that have submitted their assessments on issues of information security to the Secretary-General pursuant to paragraphs 1 to 3 of resolutions 53/70, 54/49, 55/28, 56/19 and 57/53,

Taking note of the reports of the Secretary-General containing those assessments,[20]

Welcoming the initiative taken by the Secretariat and the United Nations Institute for Disarmament Research in convening an international meeting of experts in Geneva in August 1999 on developments in the field of information and telecommunications in the context of international security, as well as its results,

Considering that the assessments of the Member States contained in the reports of the Secretary-General and the international meeting of experts have contributed to a better understanding of the substance of issues of international information security and related notions,

Confirming the request to the Secretary-General contained in paragraph 4 of its resolutions 56/19 and 57/53,

1. *Calls upon* Member States to promote further at multilateral levels the consideration of existing and potential threats in the field of information security, as well as possible measures to limit the threats emerging in this field, consistent with the need to preserve the free flow of information;

2. *Considers* that the purpose of such measures could be served through the examination of relevant international concepts aimed at strengthening the security of global information and telecommunications systems;

3. *Invites* all Member States to continue to inform the Secretary-General of their views and assessments on the following questions:

(*a*) General appreciation of the issues of information security;

(*b*) Definition of basic notions related to information security, including unauthorized interference with or misuse of information and telecommunications systems and information resources;

(*c*) The content of the concepts mentioned in paragraph 2 of the present resolution;

4. *Requests* the Secretary-General to consider existing and potential threats in the sphere of information security and possible cooperative measures to address them, and to conduct a

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[18] The draft resolution recommended in the report was sponsored in the Committee by the Russian Federation.

[19] See A/51/261, annex.

[20] A/54/213, A/55/140 and Corr.1 and Add.1, A/56/164 and Add.1, A/57/166 and Add.1 and A/58/373.

study on the concepts referred to in paragraph 2 of the present resolution, with the assistance of a group of governmental experts, to be established in 2004, appointed by him on the basis of equitable geographical distribution and with the help of Member States in a position to render such assistance, and to submit a report on the outcome of the study to the General Assembly at its sixtieth session;

5. *Decides* to include in the provisional agenda of its fifty-ninth session the item entitled "Developments in the field of information and telecommunications in the context of international security".

RESOLUTION 58/33

Adopted at the 71st plenary meeting, on 8 December 2003, on the recommendation of the Committee (A/58/458, para. 7),[21] by a recorded vote of 106 to 49, with 19 abstentions, as follows:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Bhutan, Bolivia, Botswana, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Nicaragua, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Qatar, Saint Lucia, Saudi Arabia, Senegal, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkmenistan, Uganda, United Arab Emirates, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Micronesia (Federated States of), Monaco, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Argentina, Armenia, Azerbaijan, Belarus, Brazil, Japan, Kazakhstan, Kyrgyzstan, Paraguay, Russian Federation, Rwanda, Saint Vincent and the Grenadines, Samoa, South Africa, Tonga, Ukraine, Uruguay, Uzbekistan, Vanuatu

58/33. Role of science and technology in the context of international security and disarmament

The General Assembly,

Recognizing that scientific and technological developments can have both civilian and military applications and that progress in science and technology for civilian applications needs to be maintained and encouraged,

Concerned that military applications of scientific and technological developments can contribute significantly to the improvement and upgrading of advanced weapons systems and, in particular, weapons of mass destruction,

Aware of the need to follow closely the scientific and technological developments that may have a negative impact on international security and disarmament, and to channel scientific and technological developments for beneficial purposes,

Cognizant that international transfers of dual-use as well as high-technology products, services and know-how for peaceful purposes are important for the economic and social development of States,

Also cognizant of the need to regulate such transfers of dual-use goods and technologies and high technology with military applications through multilaterally negotiated, universally applicable, non-discriminatory guidelines,

Expressing its concern about the growing proliferation of ad hoc and exclusive export control regimes and arrangements for dual-use goods and technologies, which tend to impede the economic and social development of developing countries,

Recalling that in the Final Document of the Thirteenth Conference of Heads of State or Government of Non-Aligned Countries, held in Kuala Lumpur from 20 to 25 February 2003,[22] it was again noted with concern that undue restrictions on exports to developing countries of material, equipment and technology for peaceful purposes persisted,

Emphasizing that internationally negotiated guidelines for the transfer of high technology with military applications should take into account the legitimate defence requirements of all States and the requirements for the maintenance of international peace and security, while ensuring that access to high-technology products and services and know-how for peaceful purposes is not denied,

1. *Affirms* that scientific and technological progress should be used for the benefit of all mankind to promote the sustainable economic and social development of all States and to safeguard international security, and that international cooperation in the use of science and technology through the transfer and exchange of technological know-how for peaceful purposes should be promoted;

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[21] The draft resolution recommended in the report was sponsored in the Committee by: Bangladesh, Bhutan, Burkina Faso, Cambodia, Congo, Cuba, Dominican Republic, El Salvador, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Jordan, Kenya, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritius, Myanmar, Namibia, Nepal, Pakistan, Peru, Singapore, Solomon Islands, Sri Lanka, Sudan, Viet Nam and Zambia.

[22] A57/759-S/2003/332, annex I.

2. *Invites* Member States to undertake additional efforts to apply science and technology for disarmament-related purposes and to make disarmament-related technologies available to interested States;

3. *Urges* Member States to undertake multilateral negotiations with the participation of all interested States in order to establish universally acceptable, non-discriminatory guidelines for international transfers of dual-use goods and technologies and high technology with military applications;

4. *Encourages* United Nations bodies to contribute, within existing mandates, to promoting the application of science and technology for peaceful purposes;

5. *Decides* to include in the provisional agenda of its fifty-ninth session the item entitled "Role of science and technology in the context of international security and disarmament".

RESOLUTION 58/34

Adopted at the 71st plenary meeting, on 8 December 2003, without a vote, on the recommendation of the Committee (A/58/459, para. 7)[23]

58/34. Establishment of a nuclear-weapon-free zone in the region of the Middle East

The General Assembly,

Recalling its resolutions 3263 (XXIX) of 9 December 1974, 3474 (XXX) of 11 December 1975, 31/71 of 10 December 1976, 32/82 of 12 December 1977, 33/64 of 14 December 1978, 34/77 of 11 December 1979, 35/147 of 12 December 1980, 36/87 A and B of 9 December 1981, 37/75 of 9 December 1982, 38/64 of 15 December 1983, 39/54 of 12 December 1984, 40/82 of 12 December 1985, 41/48 of 3 December 1986, 42/28 of 30 November 1987, 43/65 of 7 December 1988, 44/108 of 15 December 1989, 45/52 of 4 December 1990, 46/30 of 6 December 1991, 47/48 of 9 December 1992, 48/71 of 16 December 1993, 49/71 of 15 December 1994, 50/66 of 12 December 1995, 51/41 of 10 December 1996, 52/34 of 9 December 1997, 53/74 of 4 December 1998, 54/51 of 1 December 1999, 55/30 of 20 November 2000, 56/21 of 29 November 2001 and 57/55 of 22 November 2002 on the establishment of a nuclear-weapon-free zone in the region of the Middle East,

Recalling also the recommendations for the establishment of such a zone in the Middle East consistent with paragraphs 60 to 63, and in particular paragraph 63 (*d*), of the Final Document of the Tenth Special Session of the General Assembly,[24]

Emphasizing the basic provisions of the above-mentioned resolutions, which call upon all parties directly concerned to consider taking the practical and urgent steps required for the implementation of the proposal to establish a nuclear-weapon-free zone in the region of the Middle East and, pending and during the establishment of such a zone, to declare solemnly that they will refrain, on a reciprocal basis, from producing, acquiring or in any other way possessing nuclear weapons and nuclear explosive devices and from permitting the stationing of nuclear weapons on their territory by any third party, to agree to place their nuclear facilities under International Atomic Energy Agency safeguards and to declare their support for the establishment of the zone and to deposit such declarations with the Security Council for consideration, as appropriate,

Reaffirming the inalienable right of all States to acquire and develop nuclear energy for peaceful purposes,

Emphasizing the need for appropriate measures on the question of the prohibition of military attacks on nuclear facilities,

Bearing in mind the consensus reached by the General Assembly since its thirty-fifth session that the establishment of a nuclear-weapon-free zone in the Middle East would greatly enhance international peace and security,

Desirous of building on that consensus so that substantial progress can be made towards establishing a nuclear-weapon-free zone in the Middle East,

Welcoming all initiatives leading to general and complete disarmament, including in the region of the Middle East, and in particular on the establishment therein of a zone free of weapons of mass destruction, including nuclear weapons,

Noting the peace negotiations in the Middle East, which should be of a comprehensive nature and represent an appropriate framework for the peaceful settlement of contentious issues in the region,

Recognizing the importance of credible regional security, including the establishment of a mutually verifiable nuclear-weapon-free zone,

Emphasizing the essential role of the United Nations in the establishment of a mutually verifiable nuclear-weapon-free zone,

Having examined the report of the Secretary-General on the implementation of resolution 57/55,[25]

1. *Urges* all parties directly concerned to consider seriously taking the practical and urgent steps required for the implementation of the proposal to establish a nuclear-weapon-

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[23] The draft resolution recommended in the report was sponsored in the Committee by Egypt.

[24] Resolution S-10/2.

[25] A/58/137 (Part I) and Add.1 and Add.1/Corr.1.

free zone in the region of the Middle East in accordance with the relevant resolutions of the General Assembly, and, as a means of promoting this objective, invites the countries concerned to adhere to the Treaty on the Non-Proliferation of Nuclear Weapons;[26]

2. *Calls upon* all countries of the region that have not done so, pending the establishment of the zone, to agree to place all their nuclear activities under International Atomic Energy Agency safeguards;

3. *Takes note* of resolution GC(46)/RES/16, adopted on 20 September 2002 by the General Conference of the International Atomic Energy Agency at its forty-sixth regular session, concerning the application of Agency safeguards in the Middle East;[27]

4. *Notes* the importance of the ongoing bilateral Middle East peace negotiations and the activities of the multilateral Working Group on Arms Control and Regional Security in promoting mutual confidence and security in the Middle East, including the establishment of a nuclear-weapon-free zone;

5. *Invites* all countries of the region, pending the establishment of a nuclear-weapon-free zone in the region of the Middle East, to declare their support for establishing such a zone, consistent with paragraph 63 (*d*) of the Final Document of the Tenth Special Session of the General Assembly,[24] and to deposit those declarations with the Security Council;

6. *Also invites* those countries, pending the establishment of the zone, not to develop, produce, test or otherwise acquire nuclear weapons or permit the stationing on their territories, or territories under their control, of nuclear weapons or nuclear explosive devices;

7. *Invites* the nuclear-weapon States and all other States to render their assistance in the establishment of the zone and at the same time to refrain from any action that runs counter to both the letter and the spirit of the present resolution;

8. *Takes note* of the report of the Secretary-General;[25]

9. *Invites* all parties to consider the appropriate means that may contribute towards the goal of general and complete disarmament and the establishment of a zone free of weapons of mass destruction in the region of the Middle East;

10. *Requests* the Secretary-General to continue to pursue consultations with the States of the region and other concerned States, in accordance with paragraph 7 of resolution 46/30 and taking into account the evolving situation in the region, and to seek from those States their views on the measures outlined in chapters III and IV of the study annexed to his report of 10 October 1990[28] or other relevant measures, in order to move towards the establishment of a nuclear-weapon-free zone in the Middle East;

11. *Also requests* the Secretary-General to submit to the General Assembly at its fifty-ninth session a report on the implementation of the present resolution;

12. *Decides* to include in the provisional agenda of its fifty-ninth session the item entitled "Establishment of a nuclear-weapon-free zone in the region of the Middle East".

RESOLUTION 58/35

Adopted at the 71st plenary meeting, on 8 December 2003, on the recommendation of the Committee (A/58/460, para. 7),[29] by a recorded vote of 119 to none, with 58 abstentions, as follows:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Rwanda, Saint Lucia, Samoa, Saudi Arabia, Senegal, Seychelles, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: None

Abstaining: Albania, Andorra, Argentina, Armenia, Australia, Austria, Belarus, Belgium, Bolivia, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Micronesia (Federated States of), Monaco, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Vincent and the Grenadines, San Marino, Serbia and Montenegro, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Tajikistan, the former Yugoslav Republic of Macedonia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America

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[26] United Nations, *Treaty Series*, vol. 729, No. 10485.

[27] See International Atomic Energy Agency, *Resolutions and Other Decisions of the General Conference, Forty-sixth Regular Session, 16–20 September 2002* (GC(46)/RES/DEC(2002)).

[28] A/45/435.

[29] The draft resolution recommended in the report was sponsored in the Committee by: Bangladesh, Colombia, Cuba, Democratic People's Republic of Korea, Egypt, El Salvador, Iran (Islamic Republic of), Jordan, Malaysia, Mali, Myanmar, Pakistan, Saudi Arabia, Solomon Islands, Sri Lanka, Sudan, Syrian Arab Republic and Viet Nam.

58/35. Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons

The General Assembly,

Bearing in mind the need to allay the legitimate concern of the States of the world with regard to ensuring lasting security for their peoples,

Convinced that nuclear weapons pose the greatest threat to mankind and to the survival of civilization,

Welcoming the progress achieved in recent years in both nuclear and conventional disarmament,

Noting that, despite recent progress in the field of nuclear disarmament, further efforts are necessary towards the achievement of general and complete disarmament under effective international control,

Convinced that nuclear disarmament and the complete elimination of nuclear weapons are essential to remove the danger of nuclear war,

Determined to abide strictly by the relevant provisions of the Charter of the United Nations on the non-use of force or threat of force,

Recognizing that the independence, territorial integrity and sovereignty of non-nuclear-weapon States need to be safeguarded against the use or threat of use of force, including the use or threat of use of nuclear weapons,

Considering that, until nuclear disarmament is achieved on a universal basis, it is imperative for the international community to develop effective measures and arrangements to ensure the security of non-nuclear-weapon States against the use or threat of use of nuclear weapons from any quarter,

Recognizing that effective measures and arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons can contribute positively to the prevention of the spread of nuclear weapons,

Bearing in mind paragraph 59 of the Final Document of the Tenth Special Session of the General Assembly,[30] the first special session devoted to disarmament, in which it urged the nuclear-weapon States to pursue efforts to conclude, as appropriate, effective arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, and desirous of promoting the implementation of the relevant provisions of the Final Document,

Recalling the relevant parts of the special report of the Committee on Disarmament[31] submitted to the General Assembly at its twelfth special session,[32] the second special session devoted to disarmament, and of the special report of the Conference on Disarmament submitted to the Assembly at its fifteenth special session,[33] the third special session devoted to disarmament, as well as the report of the Conference on its 1992 session,[34]

Recalling also paragraph 12 of the Declaration of the 1980s as the Second Disarmament Decade, contained in the annex to its resolution 35/46 of 3 December 1980, which states, inter alia, that all efforts should be exerted by the Committee on Disarmament urgently to negotiate with a view to reaching agreement on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons,

Noting the in-depth negotiations undertaken in the Conference on Disarmament and its Ad Hoc Committee on Effective International Arrangements to Assure Non-Nuclear-Weapon States against the Use or Threat of Use of Nuclear Weapons,[35] with a view to reaching agreement on this question,

Taking note of the proposals submitted under the item in the Conference on Disarmament, including the drafts of an international convention,

Taking note also of the relevant decision of the Thirteenth Conference of Heads of State or Government of Non-Aligned Countries, held in Kuala Lumpur from 20 to 25 February 2003,[36] as well as the relevant recommendations of the Organization of the Islamic Conference,

Taking note further of the unilateral declarations made by all the nuclear-weapon States on their policies of non-use or non-threat of use of nuclear weapons against the non-nuclear-weapon States,

Noting the support expressed in the Conference on Disarmament and in the General Assembly for the elaboration of an international convention to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, as well as the difficulties pointed out in evolving a common approach acceptable to all,

Taking note of Security Council resolution 984 (1995) of 11 April 1995 and the views expressed on it,

Recalling its relevant resolutions adopted in previous years, in particular resolutions 45/54 of 4 December 1990, 46/32 of 6 December 1991, 47/50 of 9 December 1992, 48/73 of 16 December 1993, 49/73 of 15 December 1994, 50/68 of 12 December 1995, 51/43 of 10 December 1996, 52/36 of 9 December 1997, 53/75 of 4 December 1998, 54/52 of 1 December 1999, 55/31 of 20 November 2000, 56/22 of 29 November 2001 and 57/56 of 22 November 2002,

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[30] See resolution S-10/2.

[31] The Committee on Disarmament was redesignated the Conference on Disarmament as from 7 February 1984.

[32] *Official Records of the General Assembly, Twelfth Special Session, Supplement No. 2* (A/S-12/2), sect. III.C.

[33] Ibid., *Fifteenth Special Session, Supplement No. 2* (A/S-15/2), sect. III.F.

[34] Ibid., *Forty-seventh Session, Supplement No. 27* (A/47/27), sect. III.F.

[35] Ibid., *Forty-eighth Session, Supplement No. 27* (A/48/27), para. 39.

[36] See A/57/759-S/2003/332, annex I.

1. *Reaffirms* the urgent need to reach an early agreement on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons;

2. *Notes with satisfaction* that in the Conference on Disarmament there is no objection, in principle, to the idea of an international convention to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, although the difficulties with regard to evolving a common approach acceptable to all have also been pointed out;

3. *Appeals* to all States, especially the nuclear-weapon States, to work actively towards an early agreement on a common approach and, in particular, on a common formula that could be included in an international instrument of a legally binding character;

4. *Recommends* that further intensive efforts be devoted to the search for such a common approach or common formula and that the various alternative approaches, including, in particular, those considered in the Conference on Disarmament, be explored further in order to overcome the difficulties;

5. *Also recommends* that the Conference on Disarmament actively continue intensive negotiations with a view to reaching early agreement and concluding effective international arrangements to assure the non-nuclear-weapon States against the use or threat of use of nuclear weapons, taking into account the widespread support for the conclusion of an international convention and giving consideration to any other proposals designed to secure the same objective;

6. *Decides* to include in the provisional agenda of its fifty-ninth session the item entitled "Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons".

RESOLUTION 58/36

Adopted at the 71st plenary meeting, on 8 December 2003, on the recommendation of the Committee (A/58/461, para. 7),[37] by a recorded vote of 174 to none, with 4 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Singapore, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: None

Abstaining: Israel, Marshall Islands, Micronesia (Federated States of), United States of America

58/36. Prevention of an arms race in outer space

The General Assembly,

Recognizing the common interest of all mankind in the exploration and use of outer space for peaceful purposes,

Reaffirming the will of all States that the exploration and use of outer space, including the Moon and other celestial bodies, shall be for peaceful purposes and shall be carried out for the benefit and in the interest of all countries, irrespective of their degree of economic or scientific development,

Reaffirming also the provisions of articles III and IV of the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies,[38]

Recalling the obligation of all States to observe the provisions of the Charter of the United Nations regarding the use or threat of use of force in their international relations, including in their space activities,

Reaffirming paragraph 80 of the Final Document of the Tenth Special Session of the General Assembly,[39] in which it is stated that in order to prevent an arms race in outer space, further measures should be taken and appropriate international negotiations held in accordance with the spirit of the Treaty,

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[37] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Armenia, Bahrain, Bangladesh, Belarus, Bhutan, Brunei Darussalam, China, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Dominican Republic, Ecuador, Egypt, El Salvador, Haiti, India, Indonesia, Iran (Islamic Republic of), Jordan, Kenya, Kuwait, Libyan Arab Jamahiriya, Malaysia, Mongolia, Myanmar, Nauru, Nepal, Nigeria, Pakistan, Qatar, Russian Federation, Saudi Arabia, Sierra Leone, Sri Lanka, Sudan, Syrian Arab Republic, Trinidad and Tobago, Uganda, Uruguay, Yemen and Zambia.

[38] Resolution 2222 (XXI), annex.

[39] Resolution S-10/2.

Recalling its previous resolutions on this issue, and taking note of the proposals submitted to the General Assembly at its tenth special session and at its regular sessions, and of the recommendations made to the competent organs of the United Nations and to the Conference on Disarmament,

Recognizing that prevention of an arms race in outer space would avert a grave danger for international peace and security,

Emphasizing the paramount importance of strict compliance with existing arms limitation and disarmament agreements relevant to outer space, including bilateral agreements, and with the existing legal regime concerning the use of outer space,

Considering that wide participation in the legal regime applicable to outer space could contribute to enhancing its effectiveness,

Noting that the Ad Hoc Committee on the Prevention of an Arms Race in Outer Space, taking into account its previous efforts since its establishment in 1985 and seeking to enhance its functioning in qualitative terms, continued the examination and identification of various issues, existing agreements and existing proposals, as well as future initiatives relevant to the prevention of an arms race in outer space,[40] and that this contributed to a better understanding of a number of problems and to a clearer perception of the various positions,

Noting also that there were no objections in principle in the Conference on Disarmament to the re-establishment of the Ad Hoc Committee, subject to re-examination of the mandate contained in the decision of the Conference on Disarmament of 13 February 1992,[41]

Emphasizing the mutually complementary nature of bilateral and multilateral efforts in the field of preventing an arms race in outer space, and hoping that concrete results will emerge from those efforts as soon as possible,

Convinced that further measures should be examined in the search for effective and verifiable bilateral and multilateral agreements in order to prevent an arms race in outer space, including the weaponization of outer space,

Stressing that the growing use of outer space increases the need for greater transparency and better information on the part of the international community,

Recalling, in this context, its previous resolutions, in particular resolutions 45/55 B of 4 December 1990, 47/51 of 9 December 1992 and 48/74 A of 16 December 1993, in which, inter alia, it reaffirmed the importance of confidence-building measures as a means conducive to ensuring the attainment of the objective of the prevention of an arms race in outer space,

Conscious of the benefits of confidence- and security-building measures in the military field,

Recognizing that negotiations for the conclusion of an international agreement or agreements to prevent an arms race in outer space remain a priority task of the Ad Hoc Committee and that the concrete proposals on confidence-building measures could form an integral part of such agreements,

1. *Reaffirms* the importance and urgency of preventing an arms race in outer space and the readiness of all States to contribute to that common objective, in conformity with the provisions of the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies;[38]

2. *Reaffirms its recognition*, as stated in the report of the Ad Hoc Committee on the Prevention of an Arms Race in Outer Space, that the legal regime applicable to outer space does not in and of itself guarantee the prevention of an arms race in outer space, that the regime plays a significant role in the prevention of an arms race in that environment, that there is a need to consolidate and reinforce that regime and enhance its effectiveness and that it is important to comply strictly with existing agreements, both bilateral and multilateral;

3. *Emphasizes* the necessity of further measures with appropriate and effective provisions for verification to prevent an arms race in outer space;

4. *Calls upon* all States, in particular those with major space capabilities, to contribute actively to the objective of the peaceful use of outer space and of the prevention of an arms race in outer space and to refrain from actions contrary to that objective and to the relevant existing treaties in the interest of maintaining international peace and security and promoting international cooperation;

5. *Reiterates* that the Conference on Disarmament, as the single multilateral disarmament negotiating forum, has the primary role in the negotiation of a multilateral agreement or agreements, as appropriate, on the prevention of an arms race in outer space in all its aspects;

6. *Invites* the Conference on Disarmament to complete the examination and updating of the mandate contained in its decision of 13 February 1992[41] and to establish an ad hoc committee as early as possible during its 2004 session;

7. *Recognizes*, in this respect, the growing convergence of views on the elaboration of measures designed to strengthen transparency, confidence and security in the peaceful uses of outer space;

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[40] *Official Records of the General Assembly, Forty-ninth Session, Supplement No. 27* (A/49/27), sect. III.D (para. 5 of the quoted text).

[41] CD/1125.

8. *Urges* States conducting activities in outer space, as well as States interested in conducting such activities, to keep the Conference on Disarmament informed of the progress of bilateral and multilateral negotiations on the matter, if any, so as to facilitate its work;

9. *Decides* to include in the provisional agenda of its fifty-ninth session the item entitled "Prevention of an arms race in outer space".

RESOLUTION 58/37

Adopted at the 71st plenary meeting, on 8 December 2003, on the recommendation of the Committee (A/58/462, para. 82),[42] by a recorded vote of 113 to 3, with 57 abstentions, as follows:

In favour: Afghanistan, Algeria, Antigua and Barbuda, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cambodia, Cameroon, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Ireland, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Qatar, Russian Federation, Saint Lucia, Saudi Arabia, Senegal, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: Israel, Micronesia (Federated States of), United States of America

Abstaining: Albania, Andorra, Argentina, Armenia, Australia, Austria, Azerbaijan, Belgium, Bolivia, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Monaco, Netherlands, New Zealand, Norway, Paraguay, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Rwanda, Saint Vincent and the Grenadines, Samoa, San Marino, Serbia and Montenegro, Singapore, Slovakia, Slovenia, Spain, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, United Kingdom of Great Britain and Northern Ireland, Uruguay, Uzbekistan

58/37. Missiles

The General Assembly,

Recalling its resolutions 54/54 F of 1 December 1999, 55/33 A of 20 November 2000, 56/24 B of 29 November 2001 and 57/71 of 22 November 2002,

Reaffirming the role of the United Nations in the field of arms regulation and disarmament and the commitment of Member States to take concrete steps to strengthen that role,

Realizing the need to promote regional and international peace and security in a world free from the scourge of war and the burden of armaments,

Convinced of the need for a comprehensive approach towards missiles, in a balanced and non-discriminatory manner, as a contribution to international peace and security,

Bearing in mind that the security concerns of Member States at the international and regional levels should be taken into consideration in addressing the issue of missiles,

Underlining the complexities involved in considering the issue of missiles in the conventional context,

Expressing its support for the international efforts against the development and proliferation of all weapons of mass destruction,

Considering that the Secretary-General, in response to resolution 55/33 A, with the assistance of a Panel of Governmental Experts, submitted a report for the consideration of the General Assembly at its fifty-seventh session on the issue of missiles in all its aspects,[43]

Welcoming the report of the Secretary-General on the issue of missiles in all its aspects,

1. *Takes note* of the report of the Secretary-General containing the replies from Member States on the report on the issue of missiles in all its aspects, submitted pursuant to resolution 57/71;[44]

2. *Requests* the Secretary-General further to seek the views of Member States on the report on the issue of missiles in all its aspects and to submit a report to the General Assembly at its fifty-ninth session;

3. *Also requests* the Secretary-General, with the assistance of a Panel of Governmental Experts, to be established in 2004 on the basis of equitable geographical distribution, to explore further the issue of missiles in all its aspects and to submit a report for consideration by the General Assembly at its fifty-ninth session;

4. *Decides* to include in the provisional agenda of its fifty-ninth session the item entitled "Missiles".

RESOLUTION 58/38

Adopted at the 71st plenary meeting, on 8 December 2003, without a vote, on the recommendation of the Committee (A/58/462, para. 82)[45]

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[42] The draft resolution recommended in the report was sponsored in the Committee by: Egypt, Indonesia and Iran (Islamic Republic of).

[43] A/57/229.

[44] A/58/117 and Add.1 and 2.

[45] The draft resolution recommended in the report was sponsored in the Committee by: Bangladesh, Belarus, Egypt, Indonesia, Jordan, Mali, Nepal, Nigeria, Pakistan, Peru, Saudi Arabia, Sri Lanka, Sudan and Turkey.

58/38. Regional disarmament

The General Assembly,

Recalling its resolutions 45/58 P of 4 December 1990, 46/36 I of 6 December 1991, 47/52 J of 9 December 1992, 48/75 I of 16 December 1993, 49/75 N of 15 December 1994, 50/70 K of 12 December 1995, 51/45 K of 10 December 1996, 52/38 P of 9 December 1997, 53/77 O of 4 December 1998, 54/54 N of 1 December 1999, 55/33 O of 20 November 2000, 56/24 H of 29 November 2001 and 57/76 of 22 November 2002 on regional disarmament,

Believing that the efforts of the international community to move towards the ideal of general and complete disarmament are guided by the inherent human desire for genuine peace and security, the elimination of the danger of war and the release of economic, intellectual and other resources for peaceful pursuits,

Affirming the abiding commitment of all States to the purposes and principles enshrined in the Charter of the United Nations in the conduct of their international relations,

Noting that essential guidelines for progress towards general and complete disarmament were adopted at the tenth special session of the General Assembly,[46]

Taking note of the guidelines and recommendations for regional approaches to disarmament within the context of global security adopted by the Disarmament Commission at its 1993 substantive session,[47]

Welcoming the prospects of genuine progress in the field of disarmament engendered in recent years as a result of negotiations between the two super-Powers,

Taking note of the recent proposals for disarmament at the regional and subregional levels,

Recognizing the importance of confidence-building measures for regional and international peace and security,

Convinced that endeavours by countries to promote regional disarmament, taking into account the specific characteristics of each region and in accordance with the principle of undiminished security at the lowest level of armaments, would enhance the security of all States and would thus contribute to international peace and security by reducing the risk of regional conflicts,

1. *Stresses* that sustained efforts are needed, within the framework of the Conference on Disarmament and under the umbrella of the United Nations, to make progress on the entire range of disarmament issues;

2. *Affirms* that global and regional approaches to disarmament complement each other and should therefore be pursued simultaneously to promote regional and international peace and security;

3. *Calls upon* States to conclude agreements, wherever possible, for nuclear non-proliferation, disarmament and confidence-building measures at the regional and subregional levels;

4. *Welcomes* the initiatives towards disarmament, nuclear non-proliferation and security undertaken by some countries at the regional and subregional levels;

5. *Supports and encourages* efforts aimed at promoting confidence-building measures at the regional and subregional levels to ease regional tensions and to further disarmament and nuclear non-proliferation measures at the regional and subregional levels;

6. *Decides* to include in the provisional agenda of its fifty-ninth session the item entitled "Regional disarmament".

RESOLUTION 58/39

Adopted at the 71st plenary meeting, on 8 December 2003, on the recommendation of the Committee (A/58/462, para. 82),[48] by a recorded vote of 172 to 1, with 1 abstention, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Singapore, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United

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[46] Resolution S-10/2.

[47] *Official Records of the General Assembly, Forty-eighth Session, Supplement No. 42* (A/48/42), annex II.

[48] The draft resolution recommended in the report was sponsored in the Committee by: Bangladesh, Belarus, Ecuador, Germany, Italy, Nepal, Netherlands, Pakistan, Peru, Spain, the former Yugoslav Republic of Macedonia and Ukraine.

Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Uzbekistan, Vanuatu, Venezuela, Yemen, Zambia, Zimbabwe

Against: India

Abstaining: Bhutan

58/39. Conventional arms control at the regional and subregional levels

The General Assembly,

Recalling its resolutions 48/75 J of 16 December 1993, 49/75 O of 15 December 1994, 50/70 L of 12 December 1995, 51/45 Q of 10 December 1996, 52/38 Q of 9 December 1997, 53/77 P of 4 December 1998, 54/54 M of 1 December 1999, 55/33 P of 20 November 2000, 56/24 I of 29 November 2001 and 57/77 of 22 November 2002,

Recognizing the crucial role of conventional arms control in promoting regional and international peace and security,

Convinced that conventional arms control needs to be pursued primarily in the regional and subregional contexts since most threats to peace and security in the post-cold-war era arise mainly among States located in the same region or subregion,

Aware that the preservation of a balance in the defence capabilities of States at the lowest level of armaments would contribute to peace and stability and should be a prime objective of conventional arms control,

Desirous of promoting agreements to strengthen regional peace and security at the lowest possible level of armaments and military forces,

Noting with particular interest the initiatives taken in this regard in different regions of the world, in particular the commencement of consultations among a number of Latin American countries and the proposals for conventional arms control made in the context of South Asia, and recognizing, in the context of this subject, the relevance and value of the Treaty on Conventional Armed Forces in Europe,[49] which is a cornerstone of European security,

Believing that militarily significant States and States with larger military capabilities have a special responsibility in promoting such agreements for regional security,

Believing also that an important objective of conventional arms control in regions of tension should be to prevent the possibility of military attack launched by surprise and to avoid aggression,

1. *Decides* to give urgent consideration to the issues involved in conventional arms control at the regional and subregional levels;

2. *Requests* the Conference on Disarmament to consider the formulation of principles that can serve as a framework for regional agreements on conventional arms control, and looks forward to a report of the Conference on this subject;

3. *Requests* the Secretary-General, in the meantime, to seek the views of Member States on the subject and to submit a report to the General Assembly at its fifty-ninth session;

4. *Decides* to include in the provisional agenda of its fifty-ninth session the item entitled "Conventional arms control at the regional and subregional levels".

RESOLUTION 58/40

Adopted at the 71st plenary meeting, on 8 December 2003, without a vote, on the recommendation of the Committee (A/58/462, para. 82)[50]

58/40. Prohibition of the dumping of radioactive wastes

The General Assembly,

Bearing in mind resolutions CM/Res.1153 (XLVIII) of 1988[51] and CM/Res.1225 (L) of 1989,[52] adopted by the Council of Ministers of the Organization of African Unity, concerning the dumping of nuclear and industrial wastes in Africa,

Welcoming resolution GC(XXXIV)/RES/530 establishing a Code of Practice on the International Transboundary Movement of Radioactive Waste, adopted on 21 September 1990 by the General Conference of the International Atomic Energy Agency at its thirty-fourth regular session,[53]

Taking note of the commitment by the participants in the Summit on Nuclear Safety and Security, held in Moscow on 19 and 20 April 1996, to ban the dumping at sea of radioactive wastes,[54]

Considering its resolution 2602 C (XXIV) of 16 December 1969, in which it requested the Conference of the Committee on Disarmament,[55] inter alia, to consider effective methods of control against the use of radiological methods of warfare,

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[49] CD/1064.

[50] The draft resolution recommended in the report was sponsored in the Committee by Ecuador, and Nigeria (on behalf of the States Members of the United Nations that are members of the Group of African States).

[51] See A/43/398, annex I.

[52] See A/44/603, annex I.

[53] See International Atomic Energy Agency, *Resolutions and Other Decisions of the General Conference, Thirty-fourth Regular Session, 17–21 September 1990* (GC(XXXIV)/RESOLUTIONS (1990)).

[54] A/51/131, annex I, para. 20.

[55] The Conference of the Committee on Disarmament became the Committee on Disarmament as from the tenth special session of the General Assembly. The Committee on Disarmament was redesignated the Conference on Disarmament as from 7 February 1984.

Aware of the potential hazards underlying any use of radioactive wastes that would constitute radiological warfare and its implications for regional and international security, in particular for the security of developing countries,

Recalling all its resolutions on the matter since its forty-third session in 1988, including its resolution 51/45 J of 10 December 1996,

Also recalling resolution GC(45)/RES/10 adopted by consensus on 21 September 2001 by the General Conference of the International Atomic Energy Agency at its forty-fifth regular session,[56] in which States shipping radioactive materials are invited to provide, as appropriate, assurances to concerned States, upon their request, that the national regulations of the shipping State take into account the Agency's transport regulations and to provide them with relevant information relating to the shipment of such materials; the information provided should in no case be contradictory to the measures of physical security and safety,

Welcoming the adoption at Vienna, on 5 September 1997, of the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management,[57] as recommended by the participants at the Summit on Nuclear Safety and Security,

Noting with satisfaction that the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management entered into force on 18 June 2001,

Noting that the first Review Meeting of the Contracting Parties to the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management was convened in Vienna from 3 to 14 November 2003,

Desirous of promoting the implementation of paragraph 76 of the Final Document of the Tenth Special Session of the General Assembly,[58] the first special session devoted to disarmament,

1. *Takes note* of the part of the report of the Conference on Disarmament relating to a future convention on the prohibition of radiological weapons;[59]

2. *Expresses grave concern* regarding any use of nuclear wastes that would constitute radiological warfare and have grave implications for the national security of all States;

3. *Calls upon* all States to take appropriate measures with a view to preventing any dumping of nuclear or radioactive wastes that would infringe upon the sovereignty of States;

4. *Requests* the Conference on Disarmament to take into account, in the negotiations for a convention on the prohibition of radiological weapons, radioactive wastes as part of the scope of such a convention;

5. *Also requests* the Conference on Disarmament to intensify efforts towards an early conclusion of such a convention and to include in its report to the General Assembly at its sixtieth session the progress recorded in the negotiations on this subject;

6. *Takes note* of resolution CM/Res.1356 (LIV) of 1991, adopted by the Council of Ministers of the Organization of African Unity,[60] on the Bamako Convention on the Ban on the Import of Hazardous Wastes into Africa and on the Control of Their Transboundary Movements within Africa;

7. *Expresses the hope* that the effective implementation of the International Atomic Energy Agency Code of Practice on the International Transboundary Movement of Radioactive Waste will enhance the protection of all States from the dumping of radioactive wastes on their territories;

8. *Appeals* to all Member States that have not yet taken the necessary steps to become party to the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management[57] to do so as soon as possible;

9. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "Prohibition of the dumping of radioactive wastes".

RESOLUTION 58/41

Adopted at the 71st plenary meeting, on 8 December 2003, without a vote, on the recommendation of the Committee (A/58/462, para. 82)[61]

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[56] See International Atomic Energy Agency, *Resolutions and Other Decisions of the General Conference, Forty-fifth Regular Session, 17–21 September 2001* (GC(45)/RES/DEC(2001)).

[57] See GOV/INF/821-GC(41)/INF/12 and Corr.1, appendix I.

[58] Resolution S-10/2.

[59] *Official Records of the General Assembly, Fifty-fourth Session, Supplement No. 27* (A/54/27), chap. III, sect. E.

[60] See A/46/390, annex I.

[61] The draft resolution recommended in the report was sponsored in the Committee by: Afghanistan, Albania, Andorra, Argentina, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Chile, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Jordan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Mongolia, Netherlands, New Zealand, Norway, Paraguay, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Tonga, Turkey, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay and Uzbekistan.

58/41. Improving the effectiveness of the methods of work of the First Committee

The General Assembly,

Expressing grave concern over both existing threats to international peace and security and new threats that have become manifest in the post-September 11, 2001 period,

Reaffirming the role of the First Committee of the General Assembly in dealing with questions of disarmament and related international security issues, consistent with the functions and powers of the Assembly in the maintenance of international peace and security, including the principles governing disarmament and the regulation of armaments, as stipulated in Article 11, paragraph 1, of the Charter of the United Nations,

Considering that the improvement of the methods of work of the First Committee would complement and facilitate the broader effort to revitalize the General Assembly,

Noting in this regard the relevant reports of the Secretary-General and related General Assembly resolutions on this subject, as well as the ongoing process in the open-ended informal consultations in the plenary on the revitalization of the Assembly chaired by its President, and seeking to contribute to this effort,

1. *Requests* the Secretary-General, within existing resources, to seek the views of Member States on the issue of improving the effectiveness of the methods of work of the First Committee, to prepare a report compiling and organizing the views of Member States on appropriate options, and to submit the report to the General Assembly for consideration at its fifty-ninth session;

2. *Decides* to include in the provisional agenda of its fifty-ninth session an item entitled "Improving the effectiveness of the methods of work of the First Committee".

RESOLUTION 58/42

Adopted at the 71st plenary meeting, on 8 December 2003, without a vote, on the recommendation of the Committee (A/58/462, para. 82)[62]

58/42. National legislation on transfer of arms, military equipment and dual-use goods and technology

The General Assembly,

Recognizing that disarmament, arms control and non-proliferation are essential for the maintenance of international peace and security,

Recalling that effective national control of the transfer of arms, military equipment and dual-use goods and technology, including those transfers that could contribute to proliferation activities, is an important tool for achieving those objectives,

Recalling also that the States parties to the international disarmament and non-proliferation treaties have undertaken to facilitate the fullest possible exchange of materials, equipment and technological information for peaceful purposes, in accordance with the provisions of those treaties,

Considering that the exchange of national legislation, regulations and procedures on the transfer of arms, military equipment and dual-use goods and technology contributes to mutual understanding and confidence among Member States,

Convinced that such an exchange would be beneficial to Member States that are in the process of developing such legislation,

Reaffirming the inherent right of individual or collective self-defence in accordance with Article 51 of the Charter of the United Nations,

1. *Invites* Member States that are in a position to do so to enact or improve national legislation, regulations and procedures to exercise effective control over the transfer of arms, military equipment and dual-use goods and technology, while ensuring that such legislation, regulations and procedures are consistent with the obligations of States parties under international treaties;

2. *Encourages* Member States to provide, on a voluntary basis, information to the Secretary-General on their national legislation, regulations and procedures on the transfer of arms, military equipment and dual-use goods and technology, as well as the changes therein, and requests the Secretary-General to make this information accessible to Member States;

3. *Decides* to include in the provisional agenda of its fifty-ninth session the item entitled "National legislation on transfer of arms, military equipment and dual-use goods and technology".

RESOLUTION 58/43

Adopted at the 71st plenary meeting, on 8 December 2003, on the recommendation of the Committee (A/58/462, para. 82),[63] by a recorded vote of 73 to 48, with 46 abstentions, as follows:

In favour: Algeria, Antigua and Barbuda, Azerbaijan, Bahrain, Bangladesh, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cameroon, Cape Verde, Central African Republic, China, Comoros, Congo, Côte d'Ivoire, Cuba, Djibouti, Ecuador, Egypt, Eritrea, Gabon, Gambia, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, Indonesia, Iran (Islamic Republic of), Jamaica,

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[62] The draft resolution recommended in the report was sponsored in the Committee by: Bosnia and Herzegovina, Mali, Netherlands and Ukraine.

[63] The draft resolution recommended in the report was sponsored in the Committee by Pakistan.

Jordan, Kenya, Kuwait, Lebanon, Lesotho, Libyan Arab Jamahiriya, Malawi, Malaysia, Mali, Mauritania, Mexico, Morocco, Mozambique, Namibia, Nicaragua, Niger, Oman, Pakistan, Paraguay, Philippines, Qatar, Saint Lucia, Saudi Arabia, Senegal, Singapore, Somalia, Sudan, Suriname, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, United Arab Emirates, Venezuela, Yemen, Zambia, Zimbabwe

Against: Albania, Andorra, Austria, Belgium, Bhutan, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, India, Ireland, Israel, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Mauritius, Micronesia (Federated States of), Monaco, Netherlands, Norway, Poland, Portugal, Romania, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sri Lanka, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Angola, Argentina, Armenia, Australia, Bahamas, Barbados, Belarus, Belize, Benin, Bosnia and Herzegovina, Burundi, Cambodia, Canada, Chile, Colombia, Costa Rica, Dominican Republic, Ethiopia, Fiji, Ghana, Guatemala, Honduras, Japan, Kazakhstan, Kyrgyzstan, Madagascar, Mongolia, Nepal, New Zealand, Nigeria, Panama, Papua New Guinea, Peru, Republic of Korea, Republic of Moldova, Russian Federation, Rwanda, Saint Vincent and the Grenadines, Samoa, South Africa, Swaziland, Tajikistan, Ukraine, United Republic of Tanzania, Uruguay, Uzbekistan

58/43. Confidence-building measures in the regional and subregional context

The General Assembly,

Guided by the purposes and principles enshrined in the Charter of the United Nations,

Recalling its resolution 57/337 of 3 July 2003 entitled "Prevention of armed conflict", in which it calls upon Member States to settle their disputes by peaceful means, as set out in Chapter VI of the Charter, inter alia, by any procedures adopted by the parties, including the most effective use of the International Court of Justice,

Recalling also the Security Council resolutions relating to the prevention of armed conflict, and noting all Security Council presidential statements relating to this matter,

Considering the importance and effectiveness of confidence-building measures taken at the initiative and with the participation of all States concerned and taking into account the specific characteristics of each region, since such measures can contribute to regional stability,

Convinced that resources released by disarmament, including regional disarmament, can be devoted to economic and social development and to the protection of the environment for the benefit of all peoples, in particular those of the developing countries,

Recognizing the need for meaningful dialogue among States concerned in the regions of tension to avert conflict,

Welcoming the peace processes already initiated by States concerned to resolve their disputes through peaceful means bilaterally or through mediation, inter alia, by third parties, regional organizations or the United Nations,

Recognizing that States in some regions have already taken steps towards confidence-building measures at the bilateral, subregional and regional levels in the political and military fields, including arms control and disarmament, and noting that such confidence-building measures have improved peace and security in those regions and contributed to progress in the socio-economic conditions of their people,

Concerned that the continuation of disputes among States, particularly in the absence of an effective mechanism to resolve them through peaceful means, may contribute to the arms race and endanger the maintenance of international peace and security and the efforts of the international community to promote arms control and disarmament,

1. *Calls upon* Member States to refrain from the use or threat of use of force in accordance with the purposes and principles of the Charter of the United Nations;

2. *Reaffirms its commitment* to the peaceful settlement of disputes under Chapter VI of the Charter, in particular Article 33, which provides for a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements or other peaceful means chosen by the parties;

3. *Calls upon* Member States that have not already done so to open consultations and dialogue in the regions of tension without preconditions;

4. *Urges* States to comply strictly with all bilateral, regional and international agreements, including arms control and disarmament agreements, to which they are party;

5. *Also urges*, in the context of confidence-building measures, the maintenance of military balance between States in the regions of tension consistent with the principle of undiminished security at the lowest level of armaments;

6. *Encourages* the promotion of unilateral, bilateral and regional confidence-building measures to avoid conflict and prevent the unintended and accidental outbreak of hostilities;

7. *Requests* the Secretary-General to seek the views of Member States with a view to exploring possibilities of furthering efforts towards confidence-building measures in the regional and subregional context, particularly in the regions of tension;

8. *Also requests* the Secretary-General to report on the subject to the General Assembly at its fifty-ninth session;

9. *Decides* to include in the provisional agenda of its fifty-ninth session an item entitled "Confidence-building measures in the regional and subregional context".

RESOLUTION 58/44

Adopted at the 71st plenary meeting, on 8 December 2003, on the recommendation of the Committee (A/58/462, para. 82),[64] by a recorded vote of 118 to 12, with 46 abstentions, as follows:

In favour: Algeria, Angola, Antigua and Barbuda, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Lucia, Saudi Arabia, Senegal, Seychelles, Singapore, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkmenistan, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: Albania, Bulgaria, Israel, Italy, Latvia, Marshall Islands, Micronesia (Federated States of), Poland, Portugal, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Andorra, Argentina, Armenia, Australia, Austria, Belgium, Bosnia and Herzegovina, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Japan, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Nauru, Netherlands, New Zealand, Norway, Republic of Korea, Republic of Moldova, Romania, Saint Vincent and the Grenadines, Samoa, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Solomon Islands, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine

58/44. Promotion of multilateralism in the area of disarmament and non-proliferation

The General Assembly,

Determined to foster strict respect for the purposes and principles enshrined in the Charter of the United Nations,

Recalling its resolution 56/24 T of 29 November 2001 on multilateral cooperation in the area of disarmament and non-proliferation and global efforts against terrorism and other relevant resolutions, as well as its resolution 57/63 of 22 November 2002 on promotion of multilateralism in the area of disarmament and non-proliferation,

Recalling also the purpose of the United Nations to maintain international peace and security and, to that end, to take effective collective measures for the prevention and removal of threats to the peace and for the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace, as enshrined in the Charter,

Recalling further the United Nations Millennium Declaration,[65] which states, inter alia, that the responsibility for managing worldwide economic and social development, as well as threats to international peace and security, must be shared among the nations of the world and should be exercised multilaterally and that, as the most universal and most representative organization in the world, the United Nations must play the central role,

Convinced that in the globalization era and with the information revolution, arms regulation, non-proliferation and disarmament problems are more than ever the concern of all countries in the world, which are affected in one way or another by these problems and, therefore, should have the possibility to participate in the negotiations that arise to tackle them,

Bearing in mind the existence of a broad structure of disarmament and arms regulation agreements resulting from non-discriminatory and transparent multilateral negotiations with the participation of a large number of countries, regardless of their size and power,

Aware of the need to advance further in the field of arms regulation, non-proliferation and disarmament on the basis of universal, multilateral, non-discriminatory and transparent negotiations with the goal of reaching general and complete disarmament under strict international control,

Recognizing the complementarity of bilateral, plurilateral and multilateral negotiations on disarmament,

Recognizing also that the proliferation and development of weapons of mass destruction, including nuclear weapons, are among the most immediate threats to international peace and security which need to be dealt with, with the highest priority,

Considering that the multilateral disarmament agreements provide the mechanism for States parties to consult one another and to cooperate in solving any problems which may arise in relation to the objective of, or in the application of, the provisions of the agreements and that such consultations and cooperation may also be undertaken through appropriate international procedures within the framework of the United Nations and in accordance with the Charter,

Stressing that international cooperation, the peaceful settlement of disputes, dialogue and confidence-building measures would contribute essentially to the creation of multilateral and bilateral friendly relations among peoples and nations,

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[64] The draft resolution recommended in the report was sponsored in the Committee by Malaysia (on behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries).

[65] See resolution 55/2.

Being concerned at the continuous erosion of multilateralism in the field of arms regulation, non-proliferation and disarmament, and recognizing that a resort to unilateral actions by Member States in resolving their security concerns would jeopardize international peace and security and undermine confidence in the international security system as well as the foundations of the United Nations itself,

Reaffirming the absolute validity of multilateral diplomacy in the field of disarmament, and determined to promote multilateralism as an essential way to develop arms regulation and disarmament negotiations,

1. *Reaffirms* multilateralism as the core principle in negotiations in the area of disarmament and non-proliferation with a view to maintaining and strengthening universal norms and enlarging their scope;

2. *Also reaffirms* multilateralism as the core principle in resolving disarmament and non-proliferation concerns;

3. *Urges* the participation of all interested States in multilateral negotiations on arms regulation, non-proliferation and disarmament in a non-discriminatory and transparent manner;

4. *Underlines* the importance of preserving the existing agreements on arms regulation and disarmament, which constitute an expression of the results of international cooperation and multilateral negotiations in response to the challenges facing mankind;

5. *Calls once again upon* all Member States to renew and fulfil their individual and collective commitments to multilateral cooperation as an important means of pursuing and achieving their common objectives in the area of disarmament and non-proliferation;

6. *Requests* the States parties to the relevant instruments on weapons of mass destruction to consult and cooperate among themselves in resolving their concerns with regard to cases of non-compliance as well as on implementation, in accordance with the procedures defined in those instruments, and to refrain from resorting or threatening to resort to unilateral actions or directing unverified non-compliance accusations against one another to resolve their concerns;

7. *Takes note* of the report of the Secretary-General containing the replies of Member States on the promotion of multilateralism in the area of disarmament and non-proliferation,[66] submitted pursuant to resolution 57/63;

8. *Requests* the Secretary-General to seek the views of Member States on the issue of the promotion of multilateralism in the area of disarmament and non-proliferation and to submit a report thereon to the General Assembly at its fifty-ninth session;

9. *Decides* to include in the provisional agenda of its fifty-ninth session the item entitled "Promotion of multilateralism in the area of disarmament and non-proliferation".

RESOLUTION 58/45

Adopted at the 71st plenary meeting, on 8 December 2003, on the recommendation of the Committee (A/58/462, para. 82),[67] by a recorded vote of 173 to 1, with 4 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: United States of America

Abstaining: France, Israel, Micronesia (Federated States of), United Kingdom of Great Britain and Northern Ireland

58/45. Observance of environmental norms in the drafting and implementation of agreements on disarmament and arms control

The General Assembly,

Recalling its resolutions 50/70 M of 12 December 1995, 51/45 E of 10 December 1996, 52/38 E of 9 December 1997,

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[66] See A/58/176 and Add.1.

[67] The draft resolution recommended in the report was sponsored in the Committee by Malaysia (on behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries).

53/77 J of 4 December 1998, 54/54 S of 1 December 1999, 55/33 K of 20 November 2000, 56/24 F of 29 November 2001 and 57/64 of 22 November 2002,

Emphasizing the importance of the observance of environmental norms in the preparation and implementation of disarmament and arms limitation agreements,

Recognizing that it is necessary to take duly into account the agreements adopted at the United Nations Conference on Environment and Development, as well as prior relevant agreements, in the drafting and implementation of agreements on disarmament and arms limitation,

Taking note of the report of the Secretary-General,[68]

Mindful of the detrimental environmental effects of the use of nuclear weapons,

1. *Reaffirms* that international disarmament forums should take fully into account the relevant environmental norms in negotiating treaties and agreements on disarmament and arms limitation and that all States, through their actions, should contribute fully to ensuring compliance with the aforementioned norms in the implementation of treaties and conventions to which they are parties;

2. *Calls upon* States to adopt unilateral, bilateral, regional and multilateral measures so as to contribute to ensuring the application of scientific and technological progress in the framework of international security, disarmament and other related spheres, without detriment to the environment or to its effective contribution to attaining sustainable development;

3. *Welcomes* the information provided by Member States on the implementation of the measures they have adopted to promote the objectives envisaged in the present resolution;[68]

4. *Invites* all Member States to communicate to the Secretary-General information on the measures they have adopted to promote the objectives envisaged in the present resolution, and requests the Secretary-General to submit a report containing this information to the General Assembly at its fifty-ninth session;

5. *Decides* to include in the provisional agenda of its fifty-ninth session the item entitled "Observance of environmental norms in the drafting and implementation of agreements on disarmament and arms control".

RESOLUTION 58/46

Adopted at the 71st plenary meeting, on 8 December 2003, on the recommendation of the Committee (A/58/462, para. 82),[69] by a recorded vote of 124 to 29, with 22 abstentions, as follows:

In favour: Algeria, Angola, Antigua and Barbuda, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Ireland, Jamaica, Jordan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Seychelles, Singapore, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: Albania, Belgium, Bulgaria, Czech Republic, Denmark, France, Germany, Greece, Hungary, Iceland, Israel, Italy, Latvia, Lithuania, Luxembourg, Marshall Islands, Monaco, Netherlands, Norway, Poland, Portugal, Romania, Russian Federation, Slovakia, Slovenia, Spain, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Andorra, Armenia, Australia, Austria, Azerbaijan, Belarus, Bosnia and Herzegovina, Canada, Croatia, Cyprus, Estonia, Finland, Georgia, Japan, Kazakhstan, Liechtenstein, Republic of Korea, Republic of Moldova, Serbia and Montenegro, Switzerland, the former Yugoslav Republic of Macedonia, Uzbekistan

58/46. Follow-up to the advisory opinion of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons*

The General Assembly,

Recalling its resolutions 49/75 K of 15 December 1994, 51/45 M of 10 December 1996, 52/38 O of 9 December 1997, 53/77 W of 4 December 1998, 54/54 Q of 1 December 1999, 55/33 X of 20 November 2000, 56/24 S of 29 November 2001 and 57/85 of 22 November 2002,

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[68] A/58/129 and Add.1.

[69] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Bangladesh, Bolivia, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Chile, Colombia, Congo, Costa Rica, Cuba, Dominican Republic, Ecuador, Egypt, El Salvador, Fiji, Guatemala, Guyana, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Mali, Mexico, Mongolia, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Pakistan, Panama, Peru, Philippines, Qatar, Samoa, Saudi Arabia, Sierra Leone, Singapore, Solomon Islands, Sri Lanka, Sudan, Syrian Arab Republic, Thailand, Tonga, Uruguay, Viet Nam, Yemen and Zambia.

Convinced that the continuing existence of nuclear weapons poses a threat to all humanity and that their use would have catastrophic consequences for all life on Earth, and recognizing that the only defence against a nuclear catastrophe is the total elimination of nuclear weapons and the certainty that they will never be produced again,

Reaffirming the commitment of the international community to the goal of the total elimination of nuclear weapons and the creation of a nuclear-weapon-free world,

Mindful of the solemn obligations of States parties, undertaken in article VI of the Treaty on the Non-Proliferation of Nuclear Weapons,[70] particularly to pursue negotiations in good faith on effective measures relating to cessation of the nuclear-arms race at an early date and to nuclear disarmament,

Recalling the principles and objectives for nuclear non-proliferation and disarmament adopted at the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons,[71]

Emphasizing the unequivocal undertaking by the nuclear-weapon States to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament, adopted at the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons,[72]

Recalling the adoption of the Comprehensive Nuclear-Test-Ban Treaty in its resolution 50/245 of 10 September 1996, and expressing its satisfaction at the increasing number of States that have signed and ratified the Treaty,

Recognizing with satisfaction that the Antarctic Treaty[73] and the treaties of Tlatelolco,[74] Rarotonga,[75] Bangkok[76] and Pelindaba[77] are gradually freeing the entire southern hemisphere and adjacent areas covered by those treaties from nuclear weapons,

Stressing the importance of strengthening all existing nuclear-related disarmament, arms control and reduction measures,

Recognizing the need for a multilaterally negotiated and legally binding instrument to assure non-nuclear-weapon States against the threat or use of nuclear weapons,

Reaffirming the central role of the Conference on Disarmament as the single multilateral disarmament negotiating forum, and regretting the lack of progress in disarmament negotiations, particularly nuclear disarmament, in the Conference during its 2003 session,

Emphasizing the need for the Conference on Disarmament to commence negotiations on a phased programme for the complete elimination of nuclear weapons with a specified framework of time,

Expressing its deep concern at the lack of progress in the implementation of the thirteen steps to implement article VI of the Treaty on the Non-Proliferation of Nuclear Weapons agreed to at the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons,[78]

Desiring to achieve the objective of a legally binding prohibition of the development, production, testing, deployment, stockpiling, threat or use of nuclear weapons and their destruction under effective international control,

Recalling the advisory opinion of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons*, issued on 8 July 1996,[79]

Taking note of the relevant portions of the report of the Secretary-General relating to the implementation of resolution 57/85,[80]

1. *Underlines once again* the unanimous conclusion of the International Court of Justice that there exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control;

2. *Calls once again upon* all States immediately to fulfil that obligation by commencing multilateral negotiations leading to an early conclusion of a nuclear weapons convention prohibiting the development, production, testing, deployment, stockpiling, transfer, threat or use of nuclear weapons and providing for their elimination;

3. *Requests* all States to inform the Secretary-General of the efforts and measures they have taken on the implementation of the present resolution and nuclear

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[70] United Nations, *Treaty Series*, vol. 729, No. 10485.

[71] *1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document, Part I* (NPT/CONF.1995/32 (Part I) and Corr.2), annex, decision 2.

[72] *2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document*, vol. I (NPT/CONF.2000/28 (Parts I and II)), part I, section entitled "Article VI and eighth to twelfth preambular paragraphs", para. 15:6.

[73] United Nations, *Treaty Series*, vol. 402, No. 5778.

[74] Ibid., vol. 634, No. 9068.

[75] See *The United Nations Disarmament Yearbook*, vol. 10: 1985 (United Nations publication, Sales No. E.86.IX.7), appendix VII.

[76] Treaty on the South-East Asia Nuclear-Weapon-Free Zone.

[77] A/50/426, annex.

[78] See *2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document*, vol. I (NPT/CONF.2000/28 (Parts I and II)), part I, section entitled "Article VI and eighth to twelfth preambular paragraphs", para. 15.

[79] A/51/218, annex; see also *Legality of the Threat or Use of Nuclear Weapons, Advisory Opinion, I.C.J. Reports, 1996*, p. 226.

[80] A/58/162 and Add.1.

disarmament, and requests the Secretary-General to apprise the General Assembly of that information at its fifty-ninth session;

4. *Decides* to include in the provisional agenda of its fifty-ninth session the item entitled "Follow-up to the advisory opinion of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons*".

RESOLUTION 58/47

Adopted at the 71st plenary meeting, on 8 December 2003, on the recommendation of the Committee (A/58/462, para. 82),[81] by a recorded vote of 114 to 47, with 17 abstentions, as follows:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chile, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Qatar, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Netherlands, New Zealand, Norway, Poland, Portugal, Romania, Russian Federation, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Argentina, Armenia, Azerbaijan, Belarus, Brazil, China, Georgia, Israel, Japan, Kazakhstan, Kyrgyzstan, Paraguay, Republic of Korea, Republic of Moldova, Tajikistan, Ukraine, Uzbekistan

58/47. Reducing nuclear danger

The General Assembly,

Bearing in mind that the use of nuclear weapons poses the most serious threat to mankind and to the survival of civilization,

Reaffirming that any use or threat of use of nuclear weapons would constitute a violation of the Charter of the United Nations,

Convinced that the proliferation of nuclear weapons in all its aspects would seriously enhance the danger of nuclear war,

Convinced also that nuclear disarmament and the complete elimination of nuclear weapons are essential to remove the danger of nuclear war,

Considering that, until nuclear weapons cease to exist, it is imperative on the part of the nuclear-weapon States to adopt measures that assure non-nuclear-weapon States against the use or threat of use of nuclear weapons,

Considering also that the hair-trigger alert of nuclear weapons carries unacceptable risks of unintentional or accidental use of nuclear weapons, which would have catastrophic consequences for all mankind,

Emphasizing the imperative need to adopt measures to avoid accidental, unauthorized or unexplained incidents arising from computer anomaly or other technical malfunctions,

Conscious that limited steps relating to detargeting have been taken by the nuclear-weapon States and that further practical, realistic and mutually reinforcing steps are necessary to contribute to the improvement in the international climate for negotiations leading to the elimination of nuclear weapons,

Mindful that reduction of tensions brought about by a change in nuclear doctrines would positively impact on international peace and security and improve the conditions for the further reduction and the elimination of nuclear weapons,

Reiterating the highest priority accorded to nuclear disarmament in the Final Document of the Tenth Special Session of the General Assembly[82] and by the international community,

Recalling that in the advisory opinion of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons*[83] it is stated that there exists an obligation for all States to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control,

Recalling also the call in the United Nations Millennium Declaration[84] to seek to eliminate the dangers posed by weapons of mass destruction and the resolve to strive for the elimination of weapons of mass destruction, particularly nuclear weapons, including the possibility of convening an international conference to identify ways of eliminating nuclear dangers,

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[81] The draft resolution recommended in the report was sponsored in the Committee by: Afghanistan, Bangladesh, Bhutan, Cambodia, Cuba, Fiji, Haiti, India, Jordan, Kenya, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritius, Namibia, Nauru, Solomon Islands, Sudan, Viet Nam and Zambia.

[82] Resolution S-10/2.

[83] A/51/218, annex; see also *Legality of the Threat or Use of Nuclear Weapons, Advisory Opinion, I.C.J. Reports 1996*, p. 226.

[84] See resolution 55/2.

1. *Calls* for a review of nuclear doctrines and, in this context, immediate and urgent steps to reduce the risks of unintentional and accidental use of nuclear weapons;

2. *Requests* the five nuclear-weapon States to take measures towards the implementation of paragraph 1 above;

3. *Calls upon* Member States to take the necessary measures to prevent the proliferation of nuclear weapons in all its aspects and to promote nuclear disarmament, with the objective of eliminating nuclear weapons;

4. *Takes note* of the report of the Secretary-General submitted pursuant to paragraph 5 of General Assembly resolution 57/84 of 22 November 2002;[85]

5. *Requests* the Secretary-General to intensify efforts and support initiatives that would contribute towards the full implementation of the seven recommendations identified in the report of the Advisory Board on Disarmament Matters that would significantly reduce the risk of nuclear war,[86] and also to continue to encourage Member States to endeavour to create conditions that would allow the emergence of an international consensus to hold an international conference as proposed in the United Nations Millennium Declaration,[84] to identify ways of eliminating nuclear dangers, and to report thereon to the General Assembly at its fifty-ninth session;

6. *Decides* to include in the provisional agenda of its fifty-ninth session the item entitled "Reducing nuclear danger".

RESOLUTION 58/48

Adopted at the 71st plenary meeting, on 8 December 2003, without a vote, on the recommendation of the Committee (A/58/462, para. 82)[87]

58/48. Measures to prevent terrorists from acquiring weapons of mass destruction

The General Assembly,

Recalling its resolution 57/83 of 22 November 2002,

Recognizing the determination of the international community to combat terrorism, as evident in relevant General Assembly and Security Council resolutions,

Deeply concerned by the growing risk of linkages between terrorism and weapons of mass destruction, and in particular by the fact that terrorists may seek to acquire weapons of mass destruction,

Noting the support expressed in the Final Document of the Thirteenth Conference of Heads of State or Government of Non-Aligned Countries, which was held in Kuala Lumpur from 20 to 25 February 2003,[88] for measures to prevent terrorists from acquiring weapons of mass destruction,

Noting also that the Group of Eight, the European Union, the Regional Forum of the Association of Southeast Asian Nations and others have taken into account in their deliberations the dangers posed by the acquisition by terrorists of weapons of mass destruction, and the need for international cooperation in combating it,

Acknowledging the consideration of issues relating to terrorism and weapons of mass destruction by the Advisory Board on Disarmament Matters,[89]

Taking note of resolution GC(47)/RES/8, adopted on 19 September 2003 by the General Conference of the International Atomic Energy Agency at its forty-seventh regular session,[90] and the setting up of an Advisory Group on Security in the Agency to advise the Director General on the Agency's activities relating to nuclear security,

Taking note also of the report of the Policy Working Group on the United Nations and Terrorism,[91]

Taking note further of the report of the Secretary-General,[92] submitted pursuant to paragraphs 2 and 4 of resolution 57/83,

Mindful of the urgent need for addressing, within the United Nations framework and through international cooperation, this threat to humanity,

Emphasizing that progress is urgently needed in the area of disarmament and non-proliferation in order to help to maintain international peace and security and to contribute to global efforts against terrorism,

1. *Calls upon* all Member States to support international efforts to prevent terrorists from acquiring weapons of mass destruction and their means of delivery;

2. *Urges* all Member States to take and strengthen national measures, as appropriate, to prevent terrorists from

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[85] A/58/162 and Add.1.

[86] See A/56/400, para. 3.

[87] The draft resolution recommended in the report was sponsored in the Committee by: Afghanistan, Armenia, Bhutan, Colombia, Ecuador, Fiji, France, Georgia, India, Mauritius, Myanmar, Namibia, Nauru, Nepal, Papua New Guinea, Solomon Islands and Sri Lanka.

[88] A/57/759-S/2003/332, annex I.

[89] See A/57/335.

[90] See International Atomic Energy Agency, *Resolutions and Other Decisions of the General Conference, Forty-seventh Regular Session, 15–19 September 2003* (GC(47)/RES/DEC (2003)).

[91] A/57/273-S/2002/875, annex.

[92] A/58/208 and Add.1.

acquiring weapons of mass destruction, their means of delivery and materials and technologies related to their manufacture, and invites them to inform the Secretary-General, on a voluntary basis, of the measures taken in this regard;

3. *Encourages* cooperation among and between Member States and relevant regional and international organizations for strengthening national capacities in this regard;

4. *Requests* the Secretary-General to compile a report on measures already taken by international organizations on issues relating to the linkage between the fight against terrorism and the proliferation of weapons of mass destruction, to seek the views of Member States on additional relevant measures for tackling the global threat posed by the acquisition by terrorists of weapons of mass destruction, and to report to the General Assembly at its fifty-ninth session;

5. *Decides* to include in the provisional agenda of its fifty-ninth session the item entitled "Measures to prevent terrorists from acquiring weapons of mass destruction".

RESOLUTION 58/49

Adopted at the 71st plenary meeting, on 8 December 2003, on the recommendation of the Committee (A/58/462, para. 82),[93] by a recorded vote of 168 to 3, with 8 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, Gabon, Gambia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: France, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Bhutan, Georgia, India, Israel, Marshall Islands, Micronesia (Federated States of), Russian Federation, Spain

58/49. Nuclear-weapon-free southern hemisphere and adjacent areas

The General Assembly,

Recalling its resolutions 51/45 B of 10 December 1996, 52/38 N of 9 December 1997, 53/77 Q of 4 December 1998, 54/54 L of 1 December 1999, 55/33 I of 20 November 2000, 56/24 G of 29 November 2001 and 57/73 of 22 November 2002,

Welcoming the adoption by the Disarmament Commission at its 1999 substantive session of a text entitled "Establishment of nuclear-weapon-free zones on the basis of arrangements freely arrived at among the States of the region concerned",[94]

Determined to pursue the total elimination of nuclear weapons,

Determined also to continue to contribute to the prevention of the proliferation of nuclear weapons in all its aspects and to the process of general and complete disarmament under strict and effective international control, in particular in the field of nuclear weapons and other weapons of mass destruction, with a view to strengthening international peace and security, in accordance with the purposes and principles of the Charter of the United Nations,

Recalling the provisions on nuclear-weapon-free zones of the Final Document of the Tenth Special Session of the General Assembly,[95] the first special session devoted to disarmament,

Stressing the importance of the treaties of Tlatelolco,[96] Rarotonga,[97] Bangkok[98] and Pelindaba[99] establishing nuclear-weapon-free zones, as well as the Antarctic Treaty,[100] to, inter alia, achieve a world entirely free of nuclear weapons,

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[93] The draft resolution recommended in the report was sponsored in the Committee by: Angola, Argentina, Bahamas, Bangladesh, Bolivia, Brazil, Cameroon, Chile, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic Republic of the Congo, Dominican Republic, Ecuador, Egypt, El Salvador, Fiji, Guatemala, Guinea, Guyana, Honduras, Indonesia, Jamaica, Jordan, Madagascar, Mexico, Mongolia, Mozambique, Nauru, New Zealand, Norway, Panama, Papua New Guinea, Paraguay, Peru, Samoa, Sierra Leone, Singapore, Solomon Islands, South Africa, Suriname, Swaziland, Thailand, Togo, Tonga, Trinidad and Tobago, Tuvalu, United Republic of Tanzania, Uruguay, Venezuela and Viet Nam.

[94] *Official Records of the General Assembly, Fifty-fourth Session, Supplement No. 42* (A/54/42), annex I.

[95] Resolution S-10/2.

[96] United Nations, *Treaty Series*, vol. 634, No. 9068.

[97] See *The United Nations Disarmament Yearbook*, vol. 10: 1985 (United Nations publication, Sales No. E.86.IX.7), appendix VII.

[98] Treaty on the South-East Asia Nuclear-Weapon-Free Zone.

[99] A/50/426, annex.

Underlining the value of enhancing cooperation among the nuclear-weapon-free-zone treaty members by means of mechanisms such as joint meetings of States parties, signatories and observers to those treaties,

Recalling the applicable principles and rules of international law relating to the freedom of the high seas and the rights of passage through maritime space, including those of the United Nations Convention on the Law of the Sea,[101]

1. *Welcomes* the continued contribution that the Antarctic Treaty[100] and the treaties of Tlatelolco,[96] Rarotonga,[97] Bangkok[98] and Pelindaba[99] are making towards freeing the southern hemisphere and adjacent areas covered by those treaties from nuclear weapons;

2. *Also welcomes* the ratification by all original parties of the Treaty of Rarotonga, and calls upon eligible States to adhere to the treaty and the protocols thereto;

3. *Further welcomes* the efforts towards the completion of the ratification process of the Treaty of Pelindaba, and calls upon the States of the region that have not yet done so to sign and ratify the treaty, with the aim of its early entry into force;

4. *Calls upon* all concerned States to continue to work together in order to facilitate adherence to the protocols to nuclear-weapon-free-zone treaties by all relevant States that have not yet done so;

5. *Welcomes* the steps taken to conclude further nuclear-weapon-free-zone treaties on the basis of arrangements freely arrived at among the States of the region concerned, and calls upon all States to consider all relevant proposals, including those reflected in its resolutions on the establishment of nuclear-weapon-free zones in the Middle East and South Asia;

6. *Affirms its conviction* of the important role of nuclear-weapon-free zones in strengthening the nuclear non-proliferation regime and in extending the areas of the world that are nuclear-weapon-free, and, with particular reference to the responsibilities of the nuclear-weapon States, calls upon all States to support the process of nuclear disarmament and to work for the total elimination of all nuclear weapons;

7. *Calls upon* the States parties and signatories to the treaties of Tlatelolco, Rarotonga, Bangkok and Pelindaba, in order to pursue the common goals envisaged in those treaties and to promote the nuclear-weapon-free status of the southern hemisphere and adjacent areas, to explore and implement further ways and means of cooperation among themselves and their treaty agencies;

8. *Welcomes* the vigorous efforts being made among States parties and signatories to those treaties to promote their common objectives, and considers that an international conference of States parties and signatories to the nuclear-weapon-free-zone treaties might be held to support the common goals envisaged in those treaties;

9. *Encourages* the competent authorities of the nuclear-weapon-free-zone treaties to provide assistance to the States parties and signatories to those treaties so as to facilitate the accomplishment of these goals;

10. *Decides* to include in the provisional agenda of its fifty-ninth session the item entitled "Nuclear-weapon-free southern hemisphere and adjacent areas".

RESOLUTION 58/50

Adopted at the 71st plenary meeting, on 8 December 2003, on the recommendation of the Committee (A/58/462, para. 82),[102] by a recorded vote of 128 to 4, with 43 abstentions, as follows:

In favour: Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chile, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Finland, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Indonesia, Iran (Islamic Republic of), Ireland, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Oman, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: France, Russian Federation, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Albania, Armenia, Australia, Belarus, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Czech Republic, Denmark, Estonia, Georgia, Germany, Greece, Hungary, Iceland, India, Israel, Italy, Japan,

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[100] United Nations, *Treaty Series*, vol. 402, No. 5778.

[101] See *The Law of the Sea: Official Texts of the United Nations Convention on the Law of the Sea of 10 December 1982 and of the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982 with Index and Excerpts from the Final Act of the Third United Nations Conference on the Law of the Sea* (United Nations publication, Sales No. E.97.V.10).

[102] The draft resolution recommended in the report was sponsored in the Committee by: Brazil, Chile, Costa Rica, Egypt, El Salvador, Ireland, Mexico, New Zealand, Paraguay, Solomon Islands, South Africa and Sweden.

Kyrgyzstan, Latvia, Lithuania, Luxembourg, Micronesia (Federated States of), Netherlands, Norway, Pakistan, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Serbia and Montenegro, Slovakia, Slovenia, Spain, Switzerland, Tajikistan, the former Yugoslav Republic of Macedonia, Turkey, Uzbekistan

58/50. Reduction of non-strategic nuclear weapons

The General Assembly,

Recalling its resolutions 55/33 D of 20 November 2000 and 57/58 and 57/59 of 22 November 2002,

Stressing the unequivocal undertaking by the nuclear-weapon States, in the Final Document of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament, to which all States parties to the Treaty are committed under its article VI,[103]

Recognizing that disarmament and non-proliferation are essential for the maintenance of international peace and security,

Reaffirming the necessity of strict compliance at all times and in all circumstances by all parties with their obligations under the Treaty on the Non-Proliferation of Nuclear Weapons[104] and the necessity of upholding their commitments in the decisions and final documents agreed at the 1995 and 2000 Review Conferences,

Noting the advisory opinion of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons*, issued at The Hague on 8 July 1996,[105]

Reiterating the responsibility of the nuclear-weapon States for transparent, verifiable and irreversible reductions in nuclear weapons leading to nuclear disarmament,

Stressing the commitment made in the Final Document of the 2000 Review Conference to the further reduction of non-strategic nuclear weapons,[106]

Convinced that the further reduction of non-strategic nuclear weapons constitutes an integral part of the nuclear-arms reduction and disarmament process,

Concerned about the threat posed by non-strategic nuclear weapons due to their portability and proximity to areas of conflict, and thus about the risk of proliferation and of use,

Concerned also about emerging approaches to the broader role of nuclear weapons as part of security strategies, including the possible development of new types of low-yield non-strategic nuclear weapons,

Taking into consideration the lack of transparency and of formal agreements with regard to non-strategic nuclear weapons,

Emphasizing that further reductions of non-strategic nuclear weapons should be accorded a higher priority, as an important step towards the elimination of nuclear weapons, and be carried out in a comprehensive manner,

1. *Agrees* that further reductions in and elimination of non-strategic nuclear weapons should be based on unilateral initiatives and included as an integral part of the nuclear-arms reduction and disarmament process;

2. *Also agrees* that reductions of non-strategic nuclear weapons should be carried out in a transparent, verifiable and irreversible manner;

3. *Further agrees* on the importance of preserving, reaffirming and implementing the 1991 and 1992 presidential nuclear initiatives of the United States of America and the Union of Soviet Socialist Republics/Russian Federation on non-strategic nuclear weapons;

4. *Calls upon* the Russian Federation and the United States of America to formalize their presidential nuclear initiatives into legal instruments and to initiate negotiations on further reductions of such weapons;

5. *Stresses* the importance of the enhancement of special security and physical protection measures for the transport and storage of non-strategic nuclear weapons, their components and related materials through, inter alia, the placing of such weapons in physically secure central storage sites, with a view to their removal and subsequent elimination by the nuclear-weapon States as a part of the nuclear disarmament process to which they are committed under the Treaty on the Non-Proliferation of Nuclear Weapons,[104] and calls upon all nuclear-weapon States in possession of such weapons to take the necessary steps in this regard;

6. *Calls* for further confidence-building and transparency measures to reduce the threats posed by non-strategic nuclear weapons;

7. *Also calls* for concrete agreed measures to reduce further the operational status of non-strategic nuclear weapons systems so as to reduce the risk of use of non-strategic nuclear weapons;

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[103] *2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document*, vol. I (NPT/CONF.2000/28 (Parts I and II)), part I, section entitled "Article VI and eighth to twelfth preambular paragraphs", para. 15:6.

[104] United Nations, *Treaty Series*, vol. 729, No. 10485.

[105] A/51/218, annex; see also *Legality of the Threat or Use of Nuclear Weapons, Advisory Opinion, I.C.J. Reports 1996*, p. 226.

[106] See *2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document*, vol. I (NPT/CONF.2000/28 (Parts I and II)), part I, section entitled "Article VI and eighth to twelfth preambular paragraphs", para. 15:9.

8. *Stresses* the need for an undertaking by the nuclear-weapon States that possess such weapons not to increase the number or types of weapons deployed and not to develop new types of these weapons or rationalizations for their use;

9. *Calls* for the prohibition of those types of non-strategic nuclear weapons that have already been removed from the arsenals of some nuclear-weapon States and the development of transparency mechanisms for the verification of the elimination of these weapons;

10. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "Reduction of non-strategic nuclear weapons".

RESOLUTION 58/51

Adopted at the 71st plenary meeting, on 8 December 2003, on the recommendation of the Committee (A/58/462, para. 82),[107] by a recorded vote of 133 to 6, with 38 abstentions, as follows:

In favour: Afghanistan, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Finland, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Indonesia, Iran (Islamic Republic of), Ireland, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Oman, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: France, India, Israel, Pakistan, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Albania, Australia, Belarus, Belgium, Bhutan, Bosnia and Herzegovina, Bulgaria, Croatia, Czech Republic, Democratic People's Republic of Korea, Denmark, Estonia, Georgia, Germany, Greece, Hungary, Iceland, Italy, Japan, Latvia, Lithuania, Luxembourg, Micronesia (Federated States of), Netherlands, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Serbia and Montenegro, Slovakia, Slovenia, Spain, Switzerland, the former Yugoslav Republic of Macedonia, Turkey

58/51. Towards a nuclear-weapon-free world: a new agenda

The General Assembly,

Recalling its resolutions 53/77 Y of 4 December 1998, 54/54 G of 1 December 1999, 55/33 C of 20 November 2000 and 57/59 of 22 November 2002,

Convinced that the existence of nuclear weapons is a threat to the survival of humanity and that the only real guarantee against the use or threat of use of these weapons is their complete elimination and the assurance that they will never be used or produced again,

Convinced also that the retention of nuclear weapons carries the inherent risk of proliferation of those weapons and their falling into the hands of non-State actors,

Reaffirming that nuclear non-proliferation and nuclear disarmament are equally important and mutually reinforcing processes requiring continuous irreversible progress on both fronts,

Declaring that the participation of the international community as a whole is central to the maintenance and enhancement of international peace and stability, and that international security is a collective concern requiring collective engagement,

Declaring also that internationally negotiated treaties in the field of disarmament have made a fundamental contribution to international peace and security, and that unilateral and bilateral nuclear disarmament measures complement the treaty-based multilateral approach towards nuclear disarmament,

Noting the advisory opinion of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons*, issued at The Hague on 8 July 1996,[108]

Declaring that any presumption of the indefinite possession of nuclear weapons by the nuclear-weapon States is incompatible with the integrity and sustainability of the nuclear non-proliferation regime and with the broader goal of the maintenance of international peace and security,

Declaring that each article of the Treaty on the Non-Proliferation of Nuclear Weapons[109] is binding on the States parties at all times and in all circumstances and that it is imperative that all States parties be held fully accountable with respect to the strict compliance with their obligations under the Treaty, and that the undertakings therein on nuclear disarmament have been given and implementation of them remains imperative,

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[107] The draft resolution recommended in the report was sponsored in the Committee by: Austria, Bolivia, Brazil, Chile, Costa Rica, Ecuador, Egypt, El Salvador, Ireland, Mexico, New Zealand, Paraguay, Samoa, Solomon Islands, South Africa and Sweden.

[108] A/51/218, annex; see also *Legality of the Threat or Use of Nuclear Weapons, Advisory Opinion, I.C.J. Reports 1996*, p. 226.

[109] United Nations, *Treaty Series*, vol. 729, No. 10485.

Expressing its deep concern at the limited progress made to date in implementing the thirteen steps on nuclear disarmament, and determined to implement these thirteen practical steps, to which all States parties agreed at the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons,[110]

Expressing its deep concern at the continued failure of the Conference on Disarmament to deal with nuclear disarmament and to resume negotiations on a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons and other devices, taking into consideration both nuclear disarmament and nuclear non-proliferation objectives,

Expressing grave concern that the Comprehensive Nuclear-Test-Ban Treaty[111] has not yet entered into force,

Stressing the importance of regular reporting in promoting confidence in the Treaty on the Non-Proliferation of Nuclear Weapons,

Noting the successful completion in September 2002 of the first phase of the Trilateral Initiative, involving the International Atomic Energy Agency, the Russian Federation and the United States of America, which aims to enable the placement of excess nuclear materials from dismantled weapons under international safeguards,

Convinced that the further reduction of non-strategic nuclear weapons constitutes an integral part of the nuclear arms reduction and disarmament process,

Noting that, despite bilateral agreements, there is no sign of engagement of all of the five nuclear-weapon States in the multilateral process leading to the total elimination of nuclear weapons,

Declaring that it is essential that the fundamental principles of transparency, verification and irreversibility apply to all nuclear disarmament measures,

Expressing its deep concern at the continued retention of the nuclear-weapons option by those three States, India, Israel and Pakistan, that have not yet acceded to the Treaty on the Non-Proliferation of Nuclear Weapons and that operate unsafeguarded nuclear facilities, in particular given the effects of regional volatility on international security, and, in this context, the continued regional tensions and deteriorating security situation in South Asia and the Middle East,

Expressing also its deep concern at the announcement by the Democratic People's Republic of Korea to withdraw from the Treaty on the Non-Proliferation of Nuclear Weapons and at its decision to restart the Yongbyon nuclear reactor without International Atomic Energy Agency safeguards,

Expressing concern that the development of missile defences could impact negatively on nuclear disarmament and non-proliferation and lead to a new arms race on earth and in outer space,

Stressing that no actions be taken that would lead to the weaponization of outer space,

Expressing its deep concern about emerging approaches to the broader role of nuclear weapons as part of security strategies, including rationalizations for the use, and the possible development, of new types of nuclear weapons,

Welcoming further the progress in the development of nuclear-weapon-free zones,

Recalling the United Nations Millennium Declaration,[112] in which the heads of State and Government resolved to strive for the elimination of weapons of mass destruction, in particular nuclear weapons, and to keep all options open for achieving this aim, including the possibility of convening an international conference to identify ways of eliminating nuclear dangers,

Taking into consideration the unequivocal undertaking by the nuclear-weapon States, in the Final Document of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament, to which all the States parties to the Treaty are committed under article VI of the Treaty,[113]

1. *Reaffirms* that any possibility that nuclear weapons could be used represents a continued risk for humanity;

2. *Calls upon* all States to refrain from any action that could lead to a new nuclear-arms race or that could impact negatively on nuclear disarmament and non-proliferation;

3. *Calls upon* all States to fulfil all their obligations under international treaties and international law in the field of nuclear disarmament and non-proliferation;

4. *Calls upon* all States parties to pursue, with determination, the full and effective implementation of the agreements reached at the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear

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[110] See *2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document*, vol. I (NPT/CONF.2000/28 (Parts I and II)), part I, section entitled "Article VI and eighth to twelfth preambular paragraphs", para. 15.

[111] See resolution 50/245.

[112] See resolution 55/2.

[113] *2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document*, vol. I (NPT/CONF.2000/28 (Parts I and II)), part I, section entitled "Article VI and eighth to twelfth preambular paragraphs", para. 15:6.

Weapons,[114] the outcome of which provides the requisite plan to achieve nuclear disarmament;

5. *Agrees* on the importance and urgency of signatures and ratifications required to achieve the early entry into force of the Comprehensive Nuclear-Test-Ban Treaty;[111]

6. *Calls* for the upholding and maintenance of the moratorium on nuclear-weapon-test explosions or any other nuclear explosions pending the entry into force of the Comprehensive Nuclear-Test-Ban Treaty;

7. *Underlines* the urgency of the entry into force of the Comprehensive Nuclear-Test-Ban Treaty in the context of the progress achieved in implementing the international monitoring system;

8. *Calls upon* the nuclear-weapon States to implement the commitments made in the Treaty on the Non-Proliferation of Nuclear Weapons,[109] as well as in other nuclear disarmament or reductions agreements or initiatives, and to apply the principle of irreversibility by destroying their nuclear warheads and avoid keeping them in a state that lends itself to their possible redeployment;

9. *Acknowledges* that the reductions in the number of deployed strategic nuclear warheads envisaged by the Treaty on Strategic Offensive Reductions ("the Moscow Treaty")[115] represent a positive first step, and calls on the United States of America and the Russian Federation to make the Treaty verifiable, irreversible and transparent and to address non-operational warheads, thus making it an effective nuclear disarmament measure;

10. *Agrees* that the further reduction of non-strategic nuclear weapons should be accorded a higher priority as an important step towards the elimination of nuclear weapons and be carried out in a comprehensive manner, including:

(*a*) Further reductions in and elimination of non-strategic nuclear weapons based on unilateral initiatives and as an integral part of the nuclear-arms reduction and disarmament process;

(*b*) The implementation of reductions in a transparent, verifiable and irreversible manner;

(*c*) The preservation, reaffirmation and implementation of the 1991 and 1992 presidential nuclear initiatives of the United States of America and the Union of Soviet Socialist Republics/Russian Federation on non-strategic nuclear weapons;

(*d*) The formalization by the Russian Federation and the United States of America of their presidential nuclear initiatives into legal instruments and the initiation of negotiations on further reductions of such weapons;

(*e*) The enhancement of special security and physical protection measures for the transport and storage of non-strategic nuclear weapons, their components and related materials through, inter alia, the placing of such weapons in physically secure central storage sites with a view to their removal and subsequent elimination by the nuclear-weapon States as a part of the nuclear disarmament process to which they are committed under the Treaty on the Non-Proliferation of Nuclear Weapons, as well as the necessary steps to be taken by all nuclear-weapon States in possession of such weapons in this regard;

(*f*) The achievement of further confidence-building and transparency measures to reduce the threats posed by non-strategic nuclear weapons;

(*g*) The achievement of concrete agreed measures to reduce further the operational status of non-strategic nuclear weapons systems so as to reduce the risk of use of non-strategic nuclear weapons;

(*h*) The undertaking by the nuclear-weapon States that possess these weapons not to increase the number or types of weapons deployed and not to develop new types of these weapons or rationalizations for their use;

(*i*) The prohibition of those types of non-strategic nuclear weapons that have already been removed from the arsenals of some nuclear-weapon States and the development of transparency mechanisms for the verification of the elimination of these weapons;

11. *Calls upon* the nuclear-weapon States to increase their transparency and accountability with regard to their nuclear weapons arsenals and their implementation of disarmament measures;

12. *Agrees* that the Conference on Disarmament should establish, without delay, an appropriate ad hoc committee to deal with nuclear disarmament;

13. *Agrees* that the Conference on Disarmament should resume negotiations on a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices, taking into consideration both nuclear disarmament and nuclear non-proliferation objectives;

14. *Agrees* that the Conference on Disarmament should complete the examination and updating of the mandate on the prevention of an arms race in outer space in all its aspects, as

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[114] See *2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document*, vol. I (NPT/CONF.2000/28 (Parts I and II)), part I.

[115] See CD/1674.

contained in its decision of 13 February 1992,[116] and re-establish an ad hoc committee as early as possible;

15. *Calls upon* the nuclear-weapon States to undertake the necessary steps towards the seamless integration of all five nuclear-weapon States into a process leading to the total elimination of nuclear weapons;

16. *Notes* that the third and, as appropriate, fourth meetings of the Preparatory Committee for the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, taking into account the deliberations and results of the previous sessions, should make every effort to produce a report containing recommendations to the Review Conference;

17. *Stresses* the importance of regular reporting in promoting confidence in the Treaty on the Non-Proliferation of Nuclear Weapons;

18. *Calls upon* the nuclear-weapon States to respect fully their existing commitments with regard to security assurances pending the conclusion of multilaterally negotiated legally binding security assurances for all non-nuclear-weapon States parties;

19. *Notes* the proposals on security assurances that have been submitted to the States parties to the Treaty on the Non-Proliferation of Nuclear Weapons, and calls upon the Preparatory Committee for the 2005 Review Conference to allow time to thoroughly consider the matter of security assurances at its third meeting so as to make recommendations to the Review Conference on how to take the matter forward;

20. *Calls upon* those three States, India, Israel and Pakistan, which are not yet parties to the Treaty on the Non-Proliferation of Nuclear Weapons and which operate unsafeguarded nuclear facilities, to accede to the Treaty as non-nuclear-weapon States promptly and without condition, to bring into force the required comprehensive safeguards agreements, together with additional protocols, consistent with the Model Protocol Additional to the Agreement(s) between State(s) and the International Atomic Energy Agency for the Application of Safeguards approved by the Board of Governors of the International Atomic Energy Agency on 15 May 1997,[117] for ensuring nuclear non-proliferation and to reverse clearly and urgently any policies to pursue any nuclear weapons development or deployment and refrain from any action that could undermine regional and international peace and security and the efforts of the international community towards nuclear disarmament and the prevention of nuclear weapons proliferation;

21. *Reaffirms the conviction* that the establishment of internationally recognized nuclear-weapon-free zones on the basis of arrangements freely arrived at among the States of the regions concerned enhances global and regional peace and security, strengthens the nuclear non-proliferation regime and contributes towards realizing the objective of nuclear disarmament;

22. *Expresses concern* at tensions in the Middle East and South Asia, and renews support for the establishment of a Middle East zone free of nuclear weapons and other weapons of mass destruction and of a nuclear-weapon-free zone in South Asia;

23. *Calls upon* those States that have not yet done so to conclude full-scope safeguards agreements with the International Atomic Energy Agency and to conclude additional protocols to their safeguards agreements on the basis of the Model Protocol;

24. *Calls upon* the Democratic People's Republic of Korea to reconsider its recent announcements, with a view to being in full compliance with the provisions of the Treaty on the Non-Proliferation of Nuclear Weapons, and in this connection supports all diplomatic efforts for an early, peaceful resolution of the situation and for the establishment of an area free of nuclear weapons on the Korean peninsula;

25. *Stresses* that the International Atomic Energy Agency must be able to verify and ensure that nuclear facilities of the States parties to the Treaty on the Non-Proliferation of Nuclear Weapons are being used for peaceful purposes only, and calls on States to cooperate fully and immediately with the Agency in resolving issues arising from the implementation of their respective obligations towards it;

26. *Calls upon* the Russian Federation and the United States of America to approach the International Atomic Energy Agency to carry out the verification requirements set forth in the Plutonium Management and Disposition Agreement signed by the two States on the basis of the model legal framework that has been agreed on and that is now available to be used in new verification agreements between the Agency and each of the two States;

27. *Calls upon* all nuclear-weapon States to make arrangements for the placing, as soon as practicable, of their fissile material no longer required for military purposes under International Atomic Energy Agency or other relevant international verification and to make arrangements for the disposition of such material for peaceful purposes in order to ensure that such material remains permanently outside military programmes;

28. *Affirms* that a nuclear-weapon-free world will ultimately require the underpinning of a universal and multilaterally negotiated legally binding instrument or a framework encompassing a mutually reinforcing set of instruments;

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[116] CD/1125.

[117] International Atomic Energy Agency, INFCIRC/540 (Corrected).

29. *Acknowledges* the report of the Secretary-General on the implementation of resolution 57/59,[118] and requests him to prepare a report, within existing resources, on the implementation of the present resolution;

30. *Decides* to include in the provisional agenda of its fifty-ninth session an item entitled "Towards a nuclear-weapon-free world: a new agenda", and to review the implementation of the present resolution at that session.

RESOLUTION 58/52

Adopted at the 71st plenary meeting, on 8 December 2003, without a vote, on the recommendation of the Committee (A/58/462, para. 82)[119]

58/52. Implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction

The General Assembly,

Recalling its previous resolutions on the subject of chemical weapons, in particular resolution 57/82 of 22 November 2002, adopted without a vote, in which it noted with appreciation the ongoing work to achieve the objective and purpose of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction,[120]

Determined to achieve the effective prohibition of the development, production, acquisition, transfer, stockpiling and use of chemical weapons and their destruction,

Noting with satisfaction that since the adoption of resolution 57/82, eleven additional States have ratified the Convention or acceded to it, bringing the total number of States parties to the Convention to one hundred and fifty-eight,

1. *Emphasizes* that the universality of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction[120] is fundamental to the achievement of its objective and purpose;

2. *Underlines* that the Convention and its implementation contribute to enhancing international peace and security, and emphasizes that its full, universal and effective implementation will contribute further to that purpose by excluding completely, for the sake of all humankind, the possibility of the use of chemical weapons;

3. *Stresses* that the full and effective implementation of all provisions of the Convention is in itself an important contribution to the efforts of the United Nations in the global fight against terrorism in all its forms and manifestations;

4. *Emphasizes* the necessity of universal adherence to the Convention, and calls upon all States that have not yet done so to become parties to the Convention without delay;

5. *Notes with appreciation* the outcome of the First Special Session of the Conference of the States Parties to Review the Operation of the Chemical Weapons Convention, convened in The Hague from 28 April to 9 May 2003,[121] and the Political Declaration,[122] in which the States parties reaffirm their commitment to achieving the objective and purpose of the Convention;

6. *Stresses* the importance to the Convention that all possessors of chemical weapons, chemical weapons production facilities or chemical weapons development facilities, including previously declared possessor States, should be among the States parties to the Convention, and welcomes progress to that end;

7. *Notes* that the effective application of the verification system builds confidence in compliance with the Convention by States parties;

8. *Stresses* the importance of the Organization for the Prohibition of Chemical Weapons in verifying compliance with the provisions of the Convention as well as in promoting the timely and efficient accomplishment of all its objectives;

9. *Urges* all States parties to the Convention to meet in full and on time their obligations under the Convention and to support the Organization for the Prohibition of Chemical Weapons in its implementation activities;

10. *Notes* the undertaking of the States parties to foster international cooperation for peaceful purposes in the field of chemical activities of the States parties and the importance of that cooperation and its contribution to the promotion of the Convention as a whole;

11. *Notes with appreciation* the ongoing work of the Organization for the Prohibition of Chemical Weapons to achieve the objective and purpose of the Convention, to ensure the full implementation of its provisions, including those for international verification of compliance with it, and to provide a forum for consultation and cooperation among States parties;

12. *Welcomes* the cooperation between the United Nations and the Organization for the Prohibition of Chemical Weapons within the framework of the Relationship Agreement between the United Nations and the Organization, in accordance with the provisions of the Convention;

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[118] A/58/162 and Add.1.

[119] The draft resolution recommended in the report was sponsored in the Committee by Poland.

[120] See *Official Records of the General Assembly, Forty-seventh Session, Supplement No. 27* (A/47/27), appendix I.

[121] See Organization for the Prohibition of Chemical Weapons, document RC-1/5.

[122] Ibid., document RC-1/3.

13. *Decides* to include in the provisional agenda of its fifty-ninth session the item entitled "Implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction".

RESOLUTION 58/53

Adopted at the 71st plenary meeting, on 8 December 2003, on the recommendation of the Committee (A/58/462, para. 82),[123] by a recorded vote of 153 to none, with 23 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Dominican Republic, Ecuador, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Latvia, Lesotho, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Mozambique, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Moldova, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Yemen, Zambia, Zimbabwe

Against: None

Abstaining: Azerbaijan, China, Cuba, Egypt, India, Iran (Islamic Republic of), Israel, Kazakhstan, Kyrgyzstan, Lebanon, Libyan Arab Jamahiriya, Marshall Islands, Micronesia (Federated States of), Morocco, Myanmar, Pakistan, Republic of Korea, Russian Federation, Syrian Arab Republic, Tajikistan, United States of America, Uzbekistan, Viet Nam

58/53. Implementation of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction

The General Assembly,

Recalling its resolutions 54/54 B of 1 December 1999, 55/33 V of 20 November 2000, 56/24 M of 29 November 2001 and 57/74 of 22 November 2002,

Reaffirming its determination to put an end to the suffering and casualties caused by anti-personnel mines, which kill or maim hundreds of people every week, mostly innocent and defenceless civilians and especially children, obstruct economic development and reconstruction, inhibit the repatriation of refugees and internally displaced persons, and have other severe consequences for years after emplacement,

Believing it necessary to do the utmost to contribute in an efficient and coordinated manner to facing the challenge of removing anti-personnel mines placed throughout the world, and to assure their destruction,

Wishing to do the utmost in ensuring assistance for the care and rehabilitation, including the social and economic reintegration, of mine victims,

Welcoming the entry into force, on 1 March 1999, of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction,[124] and noting with satisfaction the work undertaken to implement the Convention and the substantial progress made towards addressing the global landmine problem,

Recalling the First Meeting of States Parties to the Convention, held at Maputo from 3 to 7 May 1999, and the reaffirmation made in the Maputo Declaration of a commitment to the total eradication of anti-personnel mines,[125]

Recalling also the Second Meeting of States Parties to the Convention, held at Geneva from 11 to 15 September 2000, and the Declaration of the Second Meeting of States Parties, reaffirming the commitment to implement completely and fully all provisions of the Convention,[126]

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[123] The draft resolution recommended in the report was sponsored in the Committee by: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bangladesh, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, El Salvador, Equatorial Guinea, Eritrea, Fiji, France, Gabon, Gambia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Lesotho, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mozambique, Namibia, Nauru, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Moldova, Romania, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sudan, Suriname, Swaziland, Sweden, Switzerland, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Yemen, Zambia and Zimbabwe.

[124] See CD/1478.

[125] See APLC/MSP.1/1999/1, part II.

[126] See APLC/MSP.2/2000/1, part II.

Recalling further the Third Meeting of States Parties to the Convention, held at Managua from 18 to 21 September 2001, and the Declaration of the Third Meeting of States Parties, reaffirming the unwavering commitment both to the total eradication of anti-personnel mines and to addressing the insidious and inhumane effects of those weapons,[127]

Recalling the Fourth Meeting of States Parties to the Convention, held at Geneva from 16 to 20 September 2002, and the Declaration of the Fourth Meeting of States Parties reaffirming the commitment of the States parties to intensify further their efforts in those areas most directly related to the core humanitarian objectives of the Convention,[128]

Recalling also the Fifth Meeting of States Parties to the Convention, held at Bangkok from 15 to 19 September 2003, and the Declaration of the Fifth Meeting of States Parties committing the States parties, one year before their First Review Conference, to pursue, with renewed vigour, efforts to clear mined areas, assist victims, destroy stockpiled anti-personnel mines and promote universal adherence to the Convention,

Noting with satisfaction that additional States have ratified or acceded to the Convention, bringing the total number of States that have formally accepted the obligations of the Convention to one hundred and forty-one,

Emphasizing the desirability of attracting the adherence of all States to the Convention, and determined to work strenuously towards the promotion of its universalization,

Noting with regret that anti-personnel mines continue to be used in conflicts around the world, causing human suffering and impeding post-conflict development,

1. *Invites* all States that did not sign the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction[124] to accede to it without delay;

2. *Urges* all States that signed but have not ratified the Convention to ratify it without delay;

3. *Stresses* the importance of the full and effective implementation of, and compliance with, the Convention;

4. *Urges* all States parties to provide the Secretary-General with complete and timely information as required under article 7 of the Convention, in order to promote transparency and compliance with the Convention;

5. *Invites* all States that have not ratified the Convention or acceded to it to provide, on a voluntary basis, information to make global mine action efforts more effective;

6. *Renews its call upon* all States and other relevant parties to work together to promote, support and advance the care, rehabilitation and social and economic reintegration of mine victims, mine risk education programmes, and the removal of anti-personnel mines placed throughout the world and the assurance of their destruction;

7. *Invites and encourages* all interested States, the United Nations, other relevant international organizations or institutions, regional organizations, the International Committee of the Red Cross and relevant non-governmental organizations to participate in the programme of intersessional work established at the First Meeting of States Parties to the Convention and further developed at subsequent Meetings of the States parties;

8. *Requests* the Secretary-General, in accordance with article 12, paragraph 1, of the Convention, to undertake the preparations necessary to convene the Convention's First Review Conference, at Nairobi from 29 November to 3 December 2004;

9. *Also requests* the Secretary-General, on behalf of States parties and in accordance with article 12, paragraph 3, of the Convention, to invite States not parties to the Convention, as well as the United Nations, other relevant international organizations or institutions, regional organizations, the International Committee of the Red Cross and relevant non-governmental organizations to attend the First Review Conference as observers, and urges participation at the highest possible level in a high-level segment to be held at the end of the Review Conference;

10. *Decides* to include in the provisional agenda of its fifty-ninth session the item entitled "Implementation of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction".

RESOLUTION 58/54

Adopted at the 71st plenary meeting, on 8 December 2003, on the recommendation of the Committee (A/58/462, para. 82),[129] by a recorded vote of 150 to none, with 27 abstentions, as follows:

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[127] See APLC/MSP.3/2001/1, part II.

[128] See APLC/MSP.4/2002/1, part II.

[129] The draft resolution recommended in the report was sponsored in the Committee by: Albania, Andorra, Argentina, Armenia, Australia, Austria, Bangladesh, Belgium, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Burkina Faso, Burundi, Canada, Central African Republic, Chile, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Fiji, Finland, France, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, Ireland, Italy, Jamaica, Japan, Kazakhstan, Kenya, Latvia, Lesotho, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Mali, Malta, Micronesia (Federated States of), Monaco, Mongolia, Mozambique, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, San Marino, Senegal, Serbia and Montenegro, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Suriname, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Tonga, Trinidad and Tobago, Turkey, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Venezuela and Zambia.

In favour: Afghanistan, Albania, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bangladesh, Barbados, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, Colombia, Congo, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Ireland, Israel, Italy, Jamaica, Japan, Kazakhstan, Kenya, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lesotho, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Mozambique, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Suriname, Swaziland, Sweden, Switzerland, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Turkey, Turkmenistan, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Uzbekistan, Venezuela, Zambia, Zimbabwe

Against: None

Abstaining: Algeria, Bahrain, China, Comoros, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Egypt, Iran (Islamic Republic of), Jordan, Kuwait, Lebanon, Libyan Arab Jamahiriya, Mauritania, Morocco, Myanmar, Oman, Qatar, Rwanda, Saudi Arabia, Somalia, Sudan, Syrian Arab Republic, Tunisia, United Arab Emirates, Yemen

58/54. Transparency in armaments

The General Assembly,

Recalling its resolutions 46/36 L of 9 December 1991, 47/52 L of 15 December 1992, 48/75 E of 16 December 1993, 49/75 C of 15 December 1994, 50/70 D of 12 December 1995, 51/45 H of 10 December 1996, 52/38 R of 9 December 1997, 53/77 V of 4 December 1998, 54/54 O of 1 December 1999, 55/33 U of 20 November 2000, 56/24 Q of 29 November 2001 and 57/75 of 22 November 2002 entitled "Transparency in armaments",

Continuing to take the view that an enhanced level of transparency in armaments contributes greatly to confidence-building and security among States and that the establishment of the United Nations Register of Conventional Arms[130] constitutes an important step forward in the promotion of transparency in military matters,

Welcoming the consolidated report of the Secretary-General on the Register,[131] which includes the returns of Member States for 2002,

Welcoming also the response of Member States to the request contained in paragraphs 9 and 10 of resolution 46/36 L to provide data on their imports and exports of arms, as well as available background information regarding their military holdings, procurement through national production and relevant policies,

Stressing that the continuing operation of the Register and its further development should be reviewed in order to secure a Register that is capable of attracting the widest possible participation,

1. *Reaffirms its determination* to ensure the effective operation of the United Nations Register of Conventional Arms,[130] as provided for in paragraphs 7 to 10 of resolution 46/36 L;

2. *Endorses* the report of the Secretary-General on the continuing operation of the Register and its further development[132] and the recommendations ensuing from the consensus report of the 2003 group of governmental experts contained therein;[133]

3. *Decides* to adapt the scope of the Register in conformity with the recommendations contained in the 2003 report of the Secretary-General;

4. *Calls upon* Member States, with a view to achieving universal participation, to provide the Secretary-General by 31 May annually with the requested data and information for the Register, including nil reports if appropriate, on the basis of resolutions 46/36 L and 47/52 L, the recommendations contained in paragraph 64 of the 1997 report of the Secretary-General on the continuing operation of the Register and its further development,[134] the recommendations contained in paragraph 94 of the 2000 report of the Secretary-General and the appendices and annexes thereto[135] as well as the 2003 report of the Secretary-General;

5. *Invites* Member States in a position to do so, pending further development of the Register, to provide additional information on procurement from national production and military holdings and to make use of the "Remarks" column in the standardized reporting form to provide additional information such as types or models;

6. *Reaffirms its decision*, with a view to further development of the Register, to keep the scope of and participation in the Register under review;

7. *Recalls*, to that end, its request to Member States to provide the Secretary-General with their views on the continuing

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[130] See resolution 46/36 L.

[131] A/58/203.

[132] A/58/274.

[133] Ibid., paras. 112–114.

[134] A/52/316 and Corr.2.

[135] A/55/281.

operation of the Register and its further development and on transparency measures related to weapons of mass destruction;

8. *Requests* the Secretary-General to implement the recommendations contained in his 2003 report on the continuing operation of the Register and its further development and to ensure that sufficient resources are made available for the Secretariat to operate and maintain the Register;

9. *Reiterates its call upon* all Member States to cooperate at the regional and subregional levels, taking fully into account the specific conditions prevailing in the region or subregion, with a view to enhancing and coordinating international efforts aimed at increased openness and transparency in armaments;

10. *Requests* the Secretary-General to report to the General Assembly at its fifty-ninth session on progress made in implementing the present resolution.

RESOLUTION 58/55

Adopted at the 71st plenary meeting, on 8 December 2003, without a vote, on the recommendation of the Committee (A/58/462, para. 82)[136]

58/55. Promotion at the regional level in the Organization for Security and Cooperation in Europe of the United Nations programme of action on the illicit trade in small arms and light weapons in all its aspects

The General Assembly,

Recalling its resolutions 50/70 B of 12 December 1995, 52/38 J of 9 December 1997, 53/77 T of 4 December 1998, 54/54 R of 1 December 1999, 54/54 V of 15 December 1999 and 55/33 Q of 20 November 2000,

Also recalling the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects adopted on 20 July 2001,[137] which encourages in particular regional organizations to take initiatives to promote its implementation,

Welcoming the results of the First Biennial Meeting of States to Consider the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, held in New York from 7 to 11 July 2003,[138]

Convinced of the importance of national, regional and international measures to combat trafficking and illicit trade in small arms, including those measures that could be adapted to regional approaches,

Acknowledging the capacity of the Organization for Security and Cooperation in Europe, as a regional arrangement under Chapter VIII of the Charter of the United Nations, to provide a substantial contribution at the regional level to the process in the United Nations on combating the illicit trade in small arms and light weapons in all its aspects, taking into account regional particularities,

Taking note of the adoption on 24 November 2000 of the Organization for Security and Cooperation in Europe document on small arms and light weapons,[139]

Also taking note of the work done so far within the framework of the Organization for Security and Cooperation in Europe to develop best practice guides related to the control of small arms and light weapons, and acknowledging that a handbook compiling these best practice guides could also be useful to other Member States in their efforts to implement the United Nations programme of action with a view to combating the illicit trade in small arms and light weapons,

1. *Reaffirms* the importance of measures to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects, including ongoing efforts at the regional and subregional levels;

2. *Commends* the progress that has already been made in this regard by organizations in various regions and subregions and, in this context, the progress made so far in drawing up best practice guides to prevent, combat and eliminate the illicit trade in small arms and light weapons among Organization for Security and Cooperation in Europe participating States, and the hope expressed in it to see this process rapidly come to a positive conclusion;

3. *Invites* all Member States that have not yet done so to examine the possibility of developing and adopting regional and subregional measures, as appropriate, to combat the illicit trade in small arms and light weapons in all its aspects and contributing to international peace and security.

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[136] The draft resolution recommended in the report was sponsored in the Committee by: Afghanistan, Albania, Andorra, Armenia, Austria, Belarus, Belgium, Benin, Bhutan, Bosnia and Herzegovina, Bulgaria, Burkina Faso, Cambodia, Cameroon, Canada, Cape Verde, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Equatorial Guinea, Finland, France, Gabon, Georgia, Germany, Greece, Guinea, Haiti, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Kazakhstan, Kenya, Kyrgyzstan, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Mali, Malta, Micronesia (Federated States of), Monaco, Morocco, Netherlands, Niger, Norway, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, San Marino, Senegal, Serbia and Montenegro, Sierra Leone, Slovakia, Slovenia, Spain, Sri Lanka, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America and Vanuatu.

[137] See *Report of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, New York, 9–20 July 2001* (A/CONF.192/15), chap. IV, para. 24.

[138] See A/CONF.192/BMS/2003/1.

[139] A/CONF.192/PC/20, appendix.

RESOLUTION 58/56

Adopted at the 71st plenary meeting, on 8 December 2003, on the recommendation of the Committee (A/58/462, para. 82),[140] by a recorded vote of 112 to 45, with 20 abstentions, as follows:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Nauru, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Oman, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Singapore, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Israel, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Netherlands, Norway, Poland, Portugal, Romania, San Marino, Serbia and Montenegro, Sierra Leone, Slovakia, Slovenia, Spain, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Argentina, Armenia, Azerbaijan, Belarus, Georgia, India, Ireland, Japan, Kazakhstan, Kyrgyzstan, Mauritius, Pakistan, Republic of Korea, Republic of Moldova, Russian Federation, Rwanda, Sweden, Tajikistan, Ukraine, Uzbekistan

58/56. Nuclear disarmament

The General Assembly,

Recalling its resolution 49/75 E of 15 December 1994 on a step-by-step reduction of the nuclear threat, and its resolutions 50/70 P of 12 December 1995, 51/45 O of 10 December 1996, 52/38 L of 9 December 1997, 53/77 X of 4 December 1998, 54/54 P of 1 December 1999, 55/33 T of 20 November 2000, 56/24 R of 29 November 2001 and 57/79 of 22 November 2002 on nuclear disarmament,

Reaffirming the commitment of the international community to the goal of the total elimination of nuclear weapons and the establishment of a nuclear-weapon-free world,

Bearing in mind that the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction of 1972[141] and the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction of 1993[142] have already established legal regimes on the complete prohibition of biological and chemical weapons, respectively, and determined to achieve a nuclear weapons convention on the prohibition of the development, testing, production, stockpiling, loan, transfer, use and threat of use of nuclear weapons and on their destruction, and to conclude such an international convention at an early date,

Recognizing that there now exist conditions for the establishment of a world free of nuclear weapons, and stressing the need to take concrete practical steps towards achieving this goal,

Bearing in mind paragraph 50 of the Final Document of the Tenth Special Session of the General Assembly,[143] the first special session devoted to disarmament, calling for the urgent negotiation of agreements for the cessation of the qualitative improvement and development of nuclear-weapon systems, and for a comprehensive and phased programme with agreed time frames, wherever feasible, for the progressive and balanced reduction of nuclear weapons and their means of delivery, leading to their ultimate and complete elimination at the earliest possible time,

Reaffirming the conviction of the States parties to the Treaty on the Non-Proliferation of Nuclear Weapons[144] that the Treaty is a cornerstone of nuclear non-proliferation and nuclear disarmament and the importance of the decision on strengthening the review process for the Treaty,[145] the decision on principles and objectives for nuclear non-proliferation and disarmament,[145] the decision on the extension of the Treaty[145] and the resolution on the Middle East,[145] adopted by the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons,

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[140] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Bangladesh, Benin, Bhutan, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Colombia, Congo, Costa Rica, Côte d'Ivoire, Democratic Republic of the Congo, Dominican Republic, Ecuador, El Salvador, Ghana, Guinea, Haiti, Indonesia, Iran (Islamic Republic of), Jordan, Kenya, Lao People's Democratic Republic, Lesotho, Madagascar, Malaysia, Mali, Mongolia, Mozambique, Myanmar, Namibia, Nauru, Nepal, Panama, Philippines, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, Sri Lanka, Sudan, Swaziland, Thailand, Timor-Leste, Tonga, Uganda, United Republic of Tanzania, Uruguay, Viet Nam, Zambia and Zimbabwe.

[141] Resolution 2826 (XXVI), annex.

[142] See *Official Records of the General Assembly, Forty-seventh Session, Supplement No. 27* (A/47/27), appendix I.

[143] Resolution S-10/2.

[144] United Nations, *Treaty Series*, vol. 729, No. 10485.

[145] See *1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document, Part I* (NPT/CONF.1995/32 (Part I) and Corr.2), annex.

Stressing the importance of the thirteen steps for the systematic and progressive efforts to achieve the objective of nuclear disarmament leading to the total elimination of nuclear weapons, as agreed to by the States parties in the Final Document of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons,[146]

Reiterating the highest priority accorded to nuclear disarmament in the Final Document of the Tenth Special Session of the General Assembly and by the international community,

Noting with appreciation the entry into force of the Treaty on the Reduction and Limitation of Strategic Offensive Arms (START I),[147] to which Belarus, Kazakhstan, the Russian Federation, Ukraine and the United States of America are States parties,

Reiterating its call for an early entry into force of the Comprehensive Nuclear-Test-Ban Treaty,[148]

Noting with appreciation the entry into force of the Treaty on Strategic Offensive Reductions ("the Moscow Treaty") between the United States of America and the Russian Federation[149] as a significant step towards reducing their deployed strategic nuclear weapons, while calling for further irreversible deep cuts in their nuclear arsenals,

Noting with appreciation also the unilateral measures taken by the nuclear-weapon States for nuclear arms limitation, and encouraging them to take further such measures,

Recognizing the complementarity of bilateral, plurilateral and multilateral negotiations on nuclear disarmament, and that bilateral negotiations can never replace multilateral negotiations in this respect,

Noting the support expressed in the Conference on Disarmament and in the General Assembly for the elaboration of an international convention to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, and the multilateral efforts in the Conference on Disarmament to reach agreement on such an international convention at an early date,

Recalling the advisory opinion of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons*, issued on 8 July 1996,[150] and welcoming the unanimous reaffirmation by all Judges of the Court that there exists an obligation for all States to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control,

Mindful of paragraph 74 and other relevant recommendations in the Final Document of the Thirteenth Conference of Heads of State or Government of Non-Aligned Countries, held at Kuala Lumpur from 20 to 25 February 2003,[151] calling upon the Conference on Disarmament to establish, as soon as possible and as the highest priority, an ad hoc committee on nuclear disarmament and to commence negotiations on a phased programme for the complete elimination of nuclear weapons with a specified framework of time,

Recalling paragraph 11 of the declaration of the Meeting of the Ministers for Foreign Affairs of the Movement of Non-Aligned Countries, held in New York on 26 September 2003,[152]

Bearing in mind the principles and guidelines on the establishment of nuclear-weapon-free zones, adopted by the Disarmament Commission at its substantive session of 1999,[153]

Recalling the United Nations Millennium Declaration,[154] in which heads of State and Government resolve to strive for the elimination of weapons of mass destruction, in particular nuclear weapons, and to keep all options open for achieving this aim, including the possibility of convening an international conference to identify ways of eliminating nuclear dangers,

Reaffirming that, in accordance with the Charter of the United Nations, States should refrain from the use or the threat of use of nuclear weapons in settling their disputes in international relations,

Seized of the danger of the use of weapons of mass destruction, particularly nuclear weapons, in terrorist acts and the urgent need for concerted international efforts to control and overcome it,

1. *Recognizes* that, in view of recent political developments, the time is now opportune for all the nuclear-weapon States to take effective disarmament measures with a view to achieving the elimination of these weapons;

2. *Reaffirms* that nuclear disarmament and nuclear non-proliferation are substantively interrelated and mutually

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[146] See *2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document*, vol. I (NPT/CONF.2000/28 (Parts I and II)), part I, section entitled "Article VI and eighth to twelfth preambular paragraphs", para. 15.

[147] *The United Nations Disarmament Yearbook*, vol. 16: 1991 (United Nations publication, Sales No. E.92.IX.1), appendix II.

[148] See resolution 50/245.

[149] See CD/1674.

[150] A/51/218, annex; see also *Legality of the Threat or Use of Nuclear Weapons, Advisory Opinion, I.C.J. Reports 1996*, p. 226.

[151] A/57/759-S/2003/332, annex I.

[152] See A/58/420, annex.

[153] *Official Records of the General Assembly, Fifty-fourth Session, Supplement No. 42* (A/54/42), annex I.

[154] See resolution 55/2.

reinforcing, that the two processes must go hand in hand and that there is a genuine need for a systematic and progressive process of nuclear disarmament;

3. *Welcomes and encourages* the efforts to establish new nuclear-weapon-free zones in different parts of the world on the basis of agreements or arrangements freely arrived at among the States of the regions concerned, which is an effective measure for limiting the further spread of nuclear weapons geographically and contributes to the cause of nuclear disarmament;

4. *Recognizes* that there is a genuine need to diminish the role of nuclear weapons in strategic doctrines and security policies to minimize the risk that these weapons will ever be used and to facilitate the process of their total elimination;

5. *Urges* the nuclear-weapon States to stop immediately the qualitative improvement, development, production and stockpiling of nuclear warheads and their delivery systems;

6. *Also urges* the nuclear-weapon States, as an interim measure, to de-alert and deactivate immediately their nuclear weapons and to take other concrete measures to reduce further the operational status of their nuclear-weapon systems;

7. *Reiterates its call* upon the nuclear-weapon States to undertake the step-by-step reduction of the nuclear threat and to carry out effective nuclear disarmament measures with a view to achieving the total elimination of these weapons;

8. *Calls upon* the nuclear-weapon States, pending the achievement of the total elimination of nuclear weapons, to agree on an internationally and legally binding instrument on a joint undertaking not to be the first to use nuclear weapons, and calls upon all States to conclude an internationally and legally binding instrument on security assurances of non-use and non-threat of use of nuclear weapons against non-nuclear-weapon States;

9. *Urges* the nuclear-weapon States to commence plurilateral negotiations among themselves at an appropriate stage on further deep reductions of nuclear weapons as an effective measure of nuclear disarmament;

10. *Underlines* the importance of applying the principle of irreversibility to the process of nuclear disarmament, nuclear and other related arms control and reduction measures;

11. *Underscores* the importance of the unequivocal undertaking by the nuclear-weapon States, in the Final Document of the Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, held in New York from 24 April to 19 May 2000, to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament, to which all States parties are committed under article VI of the Treaty,[155] and the reaffirmation by the States parties that the total elimination of nuclear weapons is the only absolute guarantee against the use or threat of use of nuclear weapons;[156]

12. *Calls* for the full and effective implementation of the thirteen steps for nuclear disarmament contained in the Final Document of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons;[146]

13. *Urges* the nuclear-weapon States to carry out further reductions of non-strategic nuclear weapons, based on unilateral initiatives and as an integral part of the nuclear arms reduction and disarmament process;

14. *Calls* for the immediate commencement of negotiations in the Conference on Disarmament on a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices on the basis of the report of the Special Coordinator[157] and the mandate contained therein;

15. *Urges* the Conference on Disarmament to agree on a programme of work which includes the immediate commencement of negotiations on such a treaty with a view to their conclusion within five years;

16. *Calls* for the conclusion of an international legal instrument or instruments on adequate security assurances to non-nuclear-weapon States;

17. *Also calls* for the early entry into force and strict observance of the Comprehensive Nuclear-Test-Ban Treaty;[148]

18. *Expresses its regret* that the Conference on Disarmament was unable to establish an ad hoc committee on nuclear disarmament at its 2003 session, as called for in General Assembly resolution 57/79;

19. *Reiterates its call* upon the Conference on Disarmament to establish, on a priority basis, an ad hoc committee to deal with nuclear disarmament early in 2004 and to commence negotiations on a phased programme of nuclear disarmament leading to the eventual total elimination of nuclear weapons;

20. *Calls* for the convening of an international conference on nuclear disarmament in all its aspects at an early date to identify and deal with concrete measures of nuclear disarmament;

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[155] *2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document*, vol. I (NPT/CONF.2000/28 (Parts I and II)), part I, section entitled "Article VI and eighth to twelfth preambular paragraphs", para. 15:6.

[156] Ibid., section entitled "Article VII and the security of non-nuclear-weapon States", para. 2.

[157] CD/1299.

21. *Requests* the Secretary-General to submit to the General Assembly at its fifty-ninth session a report on the implementation of the present resolution;

22. *Decides* to include in the provisional agenda of its fifty-ninth session the item entitled "Nuclear disarmament".

RESOLUTION 58/57

Adopted at the 71st plenary meeting, on 8 December 2003, without a vote, on the recommendation of the Committee (A/58/462, para. 82)[158]

58/57. The Conference on Disarmament decision (CD/1547) of 11 August 1998 to establish, under item 1 of its agenda entitled "Cessation of the nuclear arms race and nuclear disarmament", an ad hoc committee to negotiate, on the basis of the report of the Special Coordinator (CD/1299) and the mandate contained therein, a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices

The General Assembly,

Recalling its resolutions 48/75 L of 16 December 1993, 53/77 I of 4 December 1998, 55/33 Y of 20 November 2000, 56/24 J of 29 November 2001 and 57/80 of 22 November 2002,

Convinced that a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices would be a significant contribution to nuclear disarmament and nuclear non-proliferation,

Recalling the 1998 report of the Conference on Disarmament, in which, inter alia, the Conference recorded that, in proceeding to take a decision on this matter, that decision was without prejudice to any further decisions on the establishment of further subsidiary bodies under agenda item 1 and that intensive consultations would be pursued to seek the views of the members of the Conference on Disarmament on appropriate methods and approaches for dealing with agenda item 1, taking into consideration all proposals and views in that respect,[159]

1. *Recalls* the decision of the Conference on Disarmament[159] to establish, under item 1 of its agenda entitled "Cessation of the nuclear arms race and nuclear disarmament", an ad hoc committee which shall negotiate, on the basis of the report of the Special Coordinator[160] and the mandate contained therein, a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices;

2. *Urges* the Conference on Disarmament to agree on a programme of work that includes the immediate commencement of negotiations on such a treaty.

RESOLUTION 58/58

Adopted at the 71st plenary meeting, on 8 December 2003, without a vote, on the recommendation of the Committee (A/58/462, para. 82)[161]

58/58. Assistance to States for curbing the illicit traffic in small arms and collecting them

The General Assembly,

Considering that the illicit proliferation and circulation of and traffic in small arms impede development, constitute a threat to populations and to national and regional security and are a factor contributing to the destabilization of States,

Deeply disturbed by the magnitude of the illicit proliferation and circulation of and traffic in small arms in the States of the Sahelo-Saharan subregion,

Noting with satisfaction the conclusions of the United Nations advisory missions dispatched by the Secretary-General to the affected countries of the subregion to study the most appropriate way of halting the illicit circulation of small arms and collecting them,

Welcoming the designation of the Department for Disarmament Affairs of the Secretariat as a centre for the coordination of all activities of United Nations bodies concerned with small arms,

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[158] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Argentina, Australia, Austria, Bangladesh, Belarus, Belgium, Brazil, Bulgaria, Cameroon, Canada, Chile, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Ecuador, Estonia, Finland, France, Germany, Greece, Grenada, Guatemala, Hungary, Iceland, Ireland, Italy, Japan, Kazakhstan, Kenya, Latvia, Lithuania, Luxembourg, Malaysia, Mali, Malta, Mongolia, Morocco, Myanmar, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Russian Federation, San Marino, Senegal, Serbia and Montenegro, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Turkey, United Kingdom of Great Britain and Northern Ireland and Venezuela.

[159] See *Official Records of the General Assembly, Fifty-third Session, Supplement No. 27* (A/53/27), para. 10.

[160] CD/1299.

[161] The draft resolution recommended in the report was sponsored in the Committee by: Andorra, Belgium, Cameroon, Colombia, Congo, Croatia, Cyprus, Denmark, El Salvador, Finland, France, Georgia, Germany, Greece, Ireland, Italy, Japan, Luxembourg, Madagascar, Mali (on behalf of the States Members of the United Nations that are members of the Economic Community of West African States), Malta, Mozambique, Netherlands, Norway, Papua New Guinea, Portugal, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, United Kingdom of Great Britain and Northern Ireland and Zambia.

Congratulating the Secretary-General for his report on the causes of conflict and the promotion of durable peace and sustainable development in Africa,[162] and bearing in mind the statement on small arms made by the President of the Security Council on 24 September 1999,[163]

Welcoming the recommendations resulting from the meetings of the States of the subregion held at Banjul, Algiers, Bamako, Yamoussoukro and Niamey to establish close regional cooperation with a view to strengthening security,

Welcoming also the decision taken by the Economic Community of West African States to renew the Declaration of a Moratorium on the Importation, Exportation and Manufacture of Small Arms and Light Weapons in West Africa, adopted by the heads of State and Government of the Community at Abuja on 31 October 1998,[164]

Recalling the Algiers Declaration adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its thirty-fifth ordinary session, held at Algiers from 12 to 14 July 1999,[165]

Emphasizing the need to advance efforts towards wider cooperation and better coordination in the struggle against the illicit proliferation of small arms through the common understanding reached at the meeting on small arms held at Oslo on 13 and 14 July 1998[166] and the Brussels Call for Action adopted by the International Conference on Sustainable Disarmament for Sustainable Development, held at Brussels on 12 and 13 October 1998,[167]

Bearing in mind the Bamako Declaration on an African Common Position on the Illicit Proliferation, Circulation and Trafficking of Small Arms and Light Weapons, adopted at Bamako on 1 December 2000,[168]

Recalling the millennium report of the Secretary-General,[169]

Welcoming the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, adopted by the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects,[170] and calling for its expeditious implementation,

Recognizing the important role that the organizations of civil society play in detection, prevention and raising public awareness, in efforts to curb the illicit traffic in small arms,

1. *Notes with satisfaction* the Declaration of the Ministerial Conference on Security, Stability, Development and Cooperation in Africa, held at Abuja on 8 and 9 May 2000,[171] and encourages the Secretary-General to pursue his efforts in the context of the implementation of General Assembly resolution 49/75 G of 15 December 1994 and the recommendations of the United Nations advisory missions, aimed at curbing the illicit circulation of small arms and collecting such arms in the affected States that so request, with the support of the United Nations Regional Centre for Peace and Disarmament in Africa and in close cooperation with the African Union;

2. *Welcomes* the decision of the Economic Community of West African States to renew the Declaration of a Moratorium on the Importation, Exportation and Manufacture of Small Arms and Light Weapons in West Africa[164] for a three-year period, until October 2004, and encourages the international community to support the implementation of the moratorium;

3. *Encourages* the establishment in the countries of the Sahelo-Saharan subregion of national commissions to combat the illicit proliferation of small arms, and invites the international community to lend its support wherever possible to ensure the smooth functioning of the commissions;

4. *Also encourages* the involvement of organizations and associations of civil society in the efforts of the national commissions to combat the illicit traffic in small arms and their participation in the implementation of the moratorium on the importation, exportation and manufacture of small arms and light weapons in West Africa as well as in the implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects;[170]

5. *Further encourages* cooperation among State organs, international organizations and civil society in combating the illicit traffic in small arms and supporting operations to collect the said arms in the subregions;

6. *Calls upon* the international community to provide technical and financial support to strengthen the capacity of civil

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[162] A/52/871-S/1998/318.

[163] S/PRST/1999/28; see *Resolutions and Decisions of the Security Council, 1999.*

[164] A/53/763-S/1998/1194, annex.

[165] A/54/424, annex II, decision AHG/Decl. 1 (XXXV).

[166] See CD/1556.

[167] A/53/681, annex.

[168] A/CONF.192/PC/23, annex.

[169] A/54/2000.

[170] See *Report of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, New York, 9–20 July 2001* (A/CONF.192/15), para. 24.

[171] A/55/286, annex II, decision AHG/Decl. 4 (XXXVI).

organizations to take action to combat the illicit trade in small arms;

7. *Takes note* of the conclusions of the meeting of Ministers for Foreign Affairs of the Economic Community of West African States, held at Bamako on 24 and 25 March 1999, on the modalities for the implementation of the Programme for Coordination and Assistance for Security and Development, and welcomes the adoption by the meeting of a plan of action;

8. *Takes note also* of the conclusions of the African Conference on the Implementation of the United Nations Programme of Action on Small Arms: Needs and Partnerships, held at Pretoria from 18 to 21 March 2002;

9. *Invites* the Secretary-General and those States and organizations that are in a position to do so to provide assistance to States for curbing the illicit traffic in small arms and collecting them;

10. *Requests* the Secretary-General to continue to consider the matter and to report to it at its fifty-ninth session on the implementation of the present resolution;

11. *Decides* to include in the provisional agenda of its fifty-ninth session the item entitled "Assistance to States for curbing the illicit traffic in small arms and collecting them".

RESOLUTION 58/59

Adopted at the 71st plenary meeting, on 8 December 2003, on the recommendation of the Committee (A/58/462, para. 82),[172] by a recorded vote of 164 to 2, with 14 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Dominican Republic, Ecuador, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Mozambique, Namibia, Nauru, Nepal, Netherlands, Nicaragua, Niger, Nigeria, Norway, Oman, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: India, United States of America

Abstaining: Bhutan, Brazil, China, Cuba, Democratic People's Republic of Korea, Egypt, Ireland, Israel, Mexico, Myanmar, New Zealand, Pakistan, South Africa, Sweden

58/59. A path to the total elimination of nuclear weapons

The General Assembly,

Recalling its resolutions 49/75 H of 15 December 1994, 50/70 C of 12 December 1995, 51/45 G of 10 December 1996, 52/38 K of 9 December 1997, 53/77 U of 4 December 1998, 54/54 D of 1 December 1999, 55/33 R of 20 November 2000, 56/24 N of 29 November 2001 and 57/78 of 22 November 2002,

Recognizing that the enhancement of international peace and security and the promotion of nuclear disarmament mutually complement and strengthen each other,

Expressing deep concern regarding the growing dangers posed by the proliferation of weapons of mass destruction,

Convinced that every effort should be made to avoid nuclear devastation,

Reaffirming the crucial importance of the Treaty on the Non-Proliferation of Nuclear Weapons[173] as the cornerstone of the international regime for nuclear non-proliferation and as an essential foundation for the pursuit of nuclear disarmament, and welcoming accession by Timor-Leste to the Treaty,

Bearing in mind that challenges to the Treaty and to the nuclear non-proliferation regime have further increased the necessity of full compliance and that the Treaty can fulfil its role only if there is confidence in compliance by all States parties,

Recognizing the progress made by the nuclear-weapon States in the reduction of their nuclear weapons unilaterally or through their negotiations, including the recent entry into force of the Treaty on Strategic Offensive Reductions ("the Moscow Treaty") by the United States of America and the Russian Federation,[174] which should serve as a step for further nuclear disarmament, and the efforts for nuclear disarmament and non-proliferation by the international community,

Reaffirming the conviction that further advancement in nuclear disarmament will contribute to consolidating the international regime for nuclear non-proliferation, ensuring international peace and security,

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[172] The draft resolution recommended in the report was sponsored in the Committee by: Afghanistan, Australia, Bangladesh, Côte d'Ivoire, Ecuador, El Salvador, Fiji, Gabon, Guatemala, Honduras, Italy, Japan, Nepal, Nicaragua, Papua New Guinea, Switzerland, Timor-Leste, Tuvalu and Ukraine.

[173] United Nations, *Treaty Series*, vol. 729, No. 10485.

[174] See CD/1674.

Welcoming the continuation of a moratorium on nuclear-weapon-test explosions or any other nuclear explosions since the last nuclear tests,

Welcoming also the successful adoption of the Final Document of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons,[175] and stressing the importance of implementing its conclusions,

Welcoming further the constructive discussions at the second session, held from 28 April to 9 May 2003, of the Preparatory Committee for the Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons to be held in 2005,

Welcoming the successful convening of a series of seminars and conferences aiming at further reinforcement of International Atomic Energy Agency safeguards, including the International Conference on Wider Adherence to Strengthened International Atomic Energy Agency Safeguards, held in Tokyo on 9 and 10 December 2002, and sharing the hope that, by making utmost use of the outcomes from the foregoing seminars and conferences, the International Atomic Energy Agency safeguards system will be further strengthened, by means of universalization of safeguards agreements and the additional protocols,

Encouraging the Russian Federation and the United States of America to continue their intensive consultations in accordance with the Joint Declaration on the New Strategic Relationship between the two States,[174]

Welcoming the Final Declaration of the third Conference on Facilitating the Entry into Force of the Comprehensive Nuclear-Test-Ban Treaty, convened in Vienna from 3 to 5 September 2003[176] in accordance with article XIV of the Treaty,[177]

Recognizing the importance of preventing terrorists from acquiring or developing nuclear weapons or related materials, radioactive materials, equipment and technology and underlining the role of the International Atomic Energy Agency in this regard,

Stressing the importance of education on disarmament and non-proliferation for future generations, and welcoming the recommendations contained in the report of the Secretary-General on the United Nations study on disarmament and non-proliferation education, submitted to the General Assembly at its fifty-seventh session,[178]

1. *Reaffirms* the importance of achieving the universality of the Treaty on the Non-Proliferation of Nuclear Weapons,[173] and calls upon States not parties to the Treaty to accede to it as non-nuclear-weapon States without delay and without conditions;

2. *Also reaffirms* the importance for all States parties to the Treaty on the Non-Proliferation of Nuclear Weapons to fulfil their obligations under the Treaty;

3. *Stresses* the central importance of the following practical steps for the systematic and progressive efforts to implement article VI of the Treaty on the Non-Proliferation of Nuclear Weapons, and paragraphs 3 and 4 (*c*) of the decision on principles and objectives for nuclear non-proliferation and disarmament of the 1995 Review and Extension Conference of the Parties to the Treaty:[179]

(*a*) The importance and urgency of signatures and ratifications, without delay and without conditions and in accordance with constitutional processes, to achieve the early entry into force of the Comprehensive Nuclear-Test-Ban Treaty[177] as well as a moratorium on nuclear-weapon-test explosions or any other nuclear explosions pending the entry into force of that Treaty;

(*b*) The establishment of an ad hoc committee in the Conference on Disarmament as early as possible during its 2004 session to negotiate a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices, in accordance with the report of the Special Coordinator of 1995[180] and the mandate contained therein, taking into consideration both nuclear disarmament and non-proliferation objectives, with a view to its conclusion within five years and, pending its entry into force, a moratorium on the production of fissile material for nuclear weapons;

(*c*) The establishment of an appropriate subsidiary body with a mandate to deal with nuclear disarmament in the Conference on Disarmament as early as possible during its 2004 session in the context of establishing a programme of work;

(*d*) The inclusion of the principle of irreversibility to apply to nuclear disarmament, nuclear and other related arms control and reduction measures;

(*e*) An unequivocal undertaking by the nuclear-weapon States, as agreed at the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, to accomplish the total elimination of their nuclear arsenals, leading to nuclear disarmament, to which all States parties to the Treaty are committed under article VI of the Treaty;

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[175] *2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document*, vols. I-III (NPT/CONF.2000/28 (Parts I-IV)).

[176] CTBT-Art.XIV/2003/5, annex I.

[177] See resolution 50/245.

[178] A/57/124.

[179] *1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document, Part I* (NPT/CONF.1995/32 (Part I) and Corr.2), annex, decision 2.

[180] CD/1299.

(*f*) Deep reductions by the Russian Federation and the United States of America in their strategic offensive arsenals, while placing great importance on the existing multilateral treaties, with a view to maintaining and strengthening strategic stability and international security;

(*g*) Steps by all the nuclear-weapon States leading to nuclear disarmament in a way that promotes international stability, and based on the principle of undiminished security for all:

(i) Further efforts by all the nuclear-weapon States to continue to reduce their nuclear arsenals unilaterally;

(ii) Increased transparency by the nuclear-weapon States with regard to their nuclear weapons capabilities and the implementation of agreements pursuant to article VI of the Treaty and as voluntary confidence-building measures to support further progress on nuclear disarmament;

(iii) The further reduction of non-strategic nuclear weapons, based on unilateral initiatives and as an integral part of the nuclear arms reduction and disarmament process;

(iv) Concrete agreed measures to reduce further the operational status of nuclear weapons systems;

(v) A diminishing role for nuclear weapons in security policies to minimize the risk that these weapons will ever be used and to facilitate the process of their total elimination;

(vi) The engagement, as soon as appropriate, of all the nuclear-weapon States in the process leading to the total elimination of their nuclear weapons;

(*h*) Reaffirmation that the ultimate objective of the efforts of States in the disarmament process is general and complete disarmament under effective international control;

4. *Recognizes* that the realization of a world free of nuclear weapons will require further steps, including deeper reductions by all the nuclear-weapon States in the process of working towards achieving their elimination;

5. *Invites* the nuclear-weapon States to keep the Members of the United Nations duly informed of the progress or efforts made towards nuclear disarmament;

6. *Emphasizes* the importance of a successful Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons in 2005, as the third session of the Preparatory Committee will be convened in 2004;

7. *Welcomes* the ongoing efforts in the dismantlement of nuclear weapons, notes the importance of the safe and effective management of the resultant fissile materials, and calls for arrangements by all the nuclear-weapon States to place, as soon as practicable, fissile material designated by each of them as no longer required for military purposes under International Atomic Energy Agency or other relevant international verification and arrangements for the disposition of such material for peaceful purposes to ensure that such material remains permanently outside of military programmes;

8. *Stresses* the importance of further development of the verification capabilities, including International Atomic Energy Agency safeguards, that will be required to provide assurance of compliance with nuclear disarmament agreements for the achievement and maintenance of a nuclear-weapon-free world;

9. *Calls upon* all States to redouble their efforts to prevent and curb the proliferation of nuclear and other weapons of mass destruction, confirming and strengthening, if necessary, their policies not to transfer equipment, materials or technology that could contribute to the proliferation of those weapons, while ensuring that such policies are consistent with the obligations of States under the Treaty on the Non-Proliferation of Nuclear Weapons;

10. *Also calls upon* all States to maintain the highest possible standards of security, safe custody, effective control and physical protection of all materials that could contribute to the proliferation of nuclear and other weapons of mass destruction in order, inter alia, to prevent those materials from falling into the hands of terrorists;

11. *Welcomes* the adoption of resolution GC(47)/RES/11 on 19 September 2003 by the General Conference of the International Atomic Energy Agency,[181] in which it is recommended that States members of the Agency continue to consider implementing the elements of the plan of action outlined in resolution GC(44)/RES/19, adopted on 22 September 2000 by the General Conference of the Agency,[182] and in the Agency's updated plan of action of April 2003, with the aim of facilitating the entry into force of comprehensive safeguards agreements and additional protocols, and calls for the early and full implementation of that resolution;

12. *Encourages* the constructive role played by civil society in promoting nuclear non-proliferation and nuclear disarmament.

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[181] See International Atomic Energy Agency, *Resolutions and Other Decisions of the General Conference, Forty-seventh Regular Session, 15–19 September 2003* (GC(47)/RES/DEC (2003)).

[182] Ibid., *Forty-fourth Regular Session, 18–22 September 2000* (GC(44)/RES/DEC (2000)).

RESOLUTION 58/60

Adopted at the 71st plenary meeting, on 8 December 2003, without a vote, on the recommendation of the Committee (A/58/463, para. 23)[183]

58/60. United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean

The General Assembly,

Recalling its resolutions 41/60 J of 3 December 1986, 42/39 K of 30 November 1987 and 43/76 H of 7 December 1988 on the United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean, with headquarters in Lima,

Recalling also its resolutions 46/37 F of 9 December 1991, 48/76 E of 16 December 1993, 49/76 D of 15 December 1994, 50/71 C of 12 December 1995, 52/220 of 22 December 1997, 53/78 F of 4 December 1998, 54/55 F of 1 December 1999, 55/34 E of 20 November 2000, 56/25 E of 29 November 2001 and 57/89 of 22 November 2002,

Underlining the revitalization of the Regional Centre, the efforts made by the Government of Peru and other countries to that end, as well as the important work done by the Director of the Centre,

Recognizing that the Regional Centre has continued to act as an instrument for the implementation of regional initiatives and has intensified its contribution to the coordination of United Nations efforts towards peace and security,

Welcoming the report of the Secretary-General,[184] which concludes that the Regional Centre also acts as a facilitator for the implementation of regional initiatives by identifying regional security needs and new areas of cooperation with States and organizations in the region, by providing more in-depth information on firearms matters, including training for the law enforcement community and non-governmental organizations on such matters, and by promoting the dissemination of information on security issues among diplomats, the military, non-governmental organizations and civil society,

Welcoming also that the report stresses that the Regional Centre has initiated a new level of activity in the important area of disarmament and development, and encouraging the Centre to further develop this activity,

Noting that security and disarmament issues have always been recognized as significant topics in Latin America and the Caribbean, the first inhabited region in the world to be declared a nuclear-weapon-free zone,

Welcoming the fact that the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco)[185] is now in force for the sovereign States of the region, and that this fact was officially acknowledged by the General Conference of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean, at its eighteenth session, held at Havana on 5 and 6 November 2003,

Bearing in mind the important role that the Regional Centre can play in promoting confidence-building measures, arms control and limitation, disarmament and development at the regional level,

Also bearing in mind the importance of information, research, education and training for peace, disarmament and development in order to achieve understanding and cooperation among States,

Recognizing the need to provide the three United Nations regional centres for peace and disarmament with sufficient financial resources and cooperation for the planning and implementation of their programmes of activities,

1. *Reiterates its strong support* for the role of the United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean in the promotion of United Nations activities at the regional level to strengthen peace, stability, security and development among its member States;

2. *Expresses its satisfaction and congratulates* the Regional Centre for the expansion of the vast range of activities carried out last year in the field of peace, disarmament and development, and requests the Regional Centre to take into account the proposals to be submitted by the countries of the region in promoting confidence-building measures, arms control and limitation, transparency, disarmament and development at the regional level;

3. *Expresses its appreciation* for the political support and financial contributions to the Regional Centre, which are essential for its continued operation;

4. *Invites* all States of the region to continue to take part in the activities of the Regional Centre, proposing items for inclusion in its programme, making greater and better use of the Centre's potential to meet the current challenges facing the international community and with a view to fulfilling the aims of the Charter of the United Nations in the field of peace, disarmament and development;

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[183] The draft resolution recommended in the report was sponsored in the Committee by Costa Rica (on behalf of the States Members of the United Nations that are members of the Group of Latin American and Caribbean States).

[184] A/58/122.

[185] United Nations, *Treaty Series*, vol. 634, No. 9068.

5. *Recognizes* that the Regional Centre has an important role in the promotion and development of regional initiatives agreed upon by the countries of Latin America and the Caribbean in the field of weapons of mass destruction, in particular nuclear weapons, conventional arms, including small arms and light weapons, as well as the relationship between disarmament and development;

6. *Welcomes* the establishment of the Group of Governmental Experts on the relationship between disarmament and development pursuant to General Assembly resolution 57/65 of 22 November 2002, whose report, to be submitted to the General Assembly at its fifty-ninth session, will be of utmost interest for the role the Regional Centre plays in promoting those issues in the region in pursuit of its mandate to promote economic and social development related to peace and disarmament;

7. *Highlights* the conclusion of the Secretary-General that the Regional Centre has demonstrated, in a concrete manner, the role of the Organization as a regional catalyst for peace and disarmament in assisting countries in the region to advance the cause of peace, disarmament and development in Latin America and the Caribbean;[186]

8. *Appeals* to Member States, in particular those within the Latin American and Caribbean region, as well as to international governmental and non-governmental organizations and foundations, to make and increase voluntary contributions to strengthen the Regional Centre, its programme of activities and the implementation thereof;

9. *Requests* the Secretary-General to provide the Regional Centre with all necessary support, within existing resources, so that it may carry out its programme of activities in accordance with its mandate;

10. *Also requests* the Secretary-General to report to the General Assembly at its fifty-ninth session on the implementation of the present resolution;

11. *Decides* to include in the provisional agenda of its fifty-ninth session the item entitled "United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean".

RESOLUTION 58/61

Adopted at the 71st plenary meeting, on 8 December 2003, without a vote, on the recommendation of the Committee (A/58/463, para. 23)[187]

58/61. United Nations Regional Centre for Peace and Disarmament in Africa

The General Assembly,

Mindful of the provisions of Article 11, paragraph 1, of the Charter of the United Nations stipulating that a function of the General Assembly is to consider the general principles of cooperation in the maintenance of international peace and security, including the principles governing disarmament and arms limitation,

Recalling its resolutions 40/151 G of 16 December 1985, 41/60 D of 3 December 1986, 42/39 J of 30 November 1987 and 43/76 D of 7 December 1988 on the United Nations Regional Centre for Peace and Disarmament in Africa, and its resolutions 46/36 F of 6 December 1991 and 47/52 G of 9 December 1992 on regional disarmament, including confidence-building measures,

Recalling also its resolutions 48/76 E of 16 December 1993, 49/76 D of 15 December 1994, 50/71 C of 12 December 1995, 51/46 E of 10 December 1996, 52/220 of 22 December 1997, 53/78 C of 4 December 1998, 54/55 B of 1 December 1999, 55/34 D of 20 November 2000, 56/25 D of 29 November 2001 and 57/91 of 22 November 2002,

Aware of the widespread support for the revitalization of the Regional Centre and the important role that the Centre can play in the present context in promoting confidence-building and arms-limitation measures at the regional level, thereby promoting progress in the area of sustainable development,

Taking note of the report of the Secretary-General[188] that the Centre has received an increasing number of requests from Member States in the African region for substantive support for several peace initiatives and conflict resolution activities in the region,

Taking note also of the report by the Secretary-General[189] that very limited financial contributions were made to the Centre despite continued fund-raising efforts,

Concerned that the continued financial difficulties faced by the Centre have impaired its ability to realize its full potential and to fulfil its mandate adequately,

Bearing in mind the efforts undertaken in the framework of the revitalization of the activities of the Regional Centre for the mobilization of the resources necessary for its operational costs,

Taking into account the need to establish close cooperation between the Regional Centre and the Mechanism for Conflict Prevention, Management and Resolution of the African Union, in conformity with the decision adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its thirty-fifth ordinary session, held at Algiers from 12 to 14 July 1999,[190]

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[186] A/58/122, para. 39.

[187] The draft resolution recommended in the report was sponsored in the Committee by Nigeria (on behalf of the States Members of the United Nations that are members of the Group of African States).

[188] A/58/139.

[189] See A/58/139, para. 46.

Welcoming the adoption by consensus of the report of the United Nations First Biennial Meeting of States to Consider the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, held in New York from 7 to 11 July 2003,[191]

1. *Commends* the activities which the United Nations Regional Centre for Peace and Disarmament in Africa is continuing to carry out, in particular in support of the efforts made by the African States in the areas of peace and security;

2. *Reaffirms its strong support* for the revitalization of the Regional Centre, and emphasizes the need to provide it with the necessary resources to enable it to strengthen its activities and carry out its programmes;

3. *Appeals once again* to all States, as well as to international governmental and non-governmental organizations and foundations, to make voluntary contributions in order to strengthen the programmes and activities of the Regional Centre and facilitate their implementation;

4. *Requests* the Secretary-General to continue to provide the necessary support to the Regional Centre for better achievements and results;

5. *Also requests* the Secretary-General to facilitate close cooperation between the Regional Centre and the African Union, in particular in the area of peace, security and development, and to continue to assist the Director of the Regional Centre in his efforts to stabilize the financial situation of the Centre and revitalize its activities;

6. *Appeals in particular* to the Regional Centre, in cooperation with the African Union, regional and subregional organizations and the African States, to take steps to promote the consistent implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects;[192]

7. *Requests* the Secretary-General to report to the General Assembly at its fifty-ninth session on the implementation of the present resolution;

8. *Decides* to include in the provisional agenda of its fifty-ninth session the item entitled "United Nations Regional Centre for Peace and Disarmament in Africa".

RESOLUTION 58/62

Adopted at the 71st plenary meeting, on 8 December 2003, without a vote, on the recommendation of the Committee (A/58/463, para. 23)[193]

58/62. United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific

The General Assembly,

Recalling its resolutions 42/39 D of 30 November 1987 and 44/117 F of 15 December 1989, by which it established the United Nations Regional Centre for Peace and Disarmament in Asia and renamed it the United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific, with headquarters in Kathmandu and with the mandate of providing, on request, substantive support for the initiatives and other activities mutually agreed upon by the Member States of the Asia-Pacific region for the implementation of measures for peace and disarmament, through appropriate utilization of available resources,

Welcoming the report of the Secretary-General,[194] in which he expresses his belief that the mandate of the Regional Centre remains valid and that the Centre has been a useful instrument for fostering a climate of cooperation for peace and disarmament in the region,

Noting that trends in the post-cold-war era have emphasized the function of the Regional Centre in assisting Member States as they deal with new security concerns and disarmament issues emerging in the region,

Commending the useful activities carried out by the Regional Centre in encouraging regional and subregional dialogue for the enhancement of openness, transparency and confidence-building, as well as the promotion of disarmament and security through the organization of regional meetings, which has come to be widely known within the Asia-Pacific region as the "Kathmandu process",

Expressing its appreciation to the Regional Centre for its organization of meetings and conferences in the region, held in

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[190] A/54/424, annex II, decision AHG/Dec.138 (XXXV). On 8 July 2002, the Organization of African Unity ceased to exist and, in its place, the African Union came into force on 9 July 2002.

[191] A/CONF.192/BMS/2003/1.

[192] See *Report of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, New York, 9–20 July 2001* (A/CONF.192/15), chap. IV, para. 24.

[193] The draft resolution recommended in the report was sponsored in the Committee by: Afghanistan, Australia, Bangladesh, Bhutan, Brunei Darussalam, Cambodia, China, Democratic People's Republic of Korea, Fiji, India, Indonesia, Japan, Kazakhstan, Lao People's Democratic Republic, Malaysia, Maldives, Micronesia (Federated States of), Mongolia, Myanmar, Nauru, Nepal, New Zealand, Pakistan, Papua New Guinea, Philippines, Republic of Korea, Samoa, Solomon Islands, Sri Lanka, Thailand, Timor-Leste, Tonga, Vanuatu and Viet Nam.

[194] A/58/190.

Samarkand, Uzbekistan, from 25 to 27 September 2002, on Jeju Island, Republic of Korea, from 3 to 5 December 2002, in Bali, Indonesia, on 10 and 11 February 2003 and on 14 and 15 February 2003, in Kanazawa, Japan, from 10 to 12 June 2003 and in Osaka, Japan, from 19 to 22 August 2003,[194]

Welcoming the idea of the possible creation of an educational and training programme for peace and disarmament in Asia and the Pacific for young people with different backgrounds, to be financed from voluntary contributions,

Noting the important role of the Regional Centre in assisting region-specific initiatives of Member States, including its continued assistance in finalizing a treaty related to the establishment of a nuclear-weapon-free zone in Central Asia,[194] as well as to Mongolia's international security and nuclear-weapon-free status, including the organization of an informal consultation among relevant United Nations bodies in January 2003 to discuss the status of implementation of the non-nuclear aspects of Mongolia's status,[194]

Appreciating highly the overall support that Nepal has extended as the host nation of the headquarters of the Regional Centre,

1. *Reaffirms its strong support* for the forthcoming operation and further strengthening of the United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific;

2. *Underlines* the importance of the Kathmandu process as a powerful vehicle for the development of the practice of region-wide security and disarmament dialogue;

3. *Expresses its appreciation* for the continuing political support and voluntary financial contributions to the Regional Centre, which are essential for its continued operation;

4. *Appeals* to Member States, in particular those within the Asia-Pacific region, as well as to international governmental and non-governmental organizations and foundations, to make voluntary contributions, the only resources of the Regional Centre, to strengthen the programme of activities of the Centre and the implementation thereof;

5. *Requests* the Secretary-General, taking note of paragraph 6 of General Assembly resolution 49/76 D of 15 December 1994, to provide the Regional Centre with the necessary support, within existing resources, in carrying out its programme of activities;

6. *Urges* the Secretary-General to ensure the physical operation of the Regional Centre from Kathmandu within six months of the date of signature of the host country agreement and to enable the Centre to function effectively;

7. *Requests* the Secretary-General to report to the General Assembly at its fifty-ninth session on the implementation of the present resolution;

8. *Decides* to include in the provisional agenda of its fifty-ninth session the item entitled "United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific".

RESOLUTION 58/63

Adopted at the 71st plenary meeting, on 8 December 2003, without a vote, on the recommendation of the Committee (A/58/463, para. 23)[195]

58/63. United Nations regional centres for peace and disarmament

The General Assembly,

Recalling its resolution 57/87 of 22 November 2002 regarding the maintenance and revitalization of the three United Nations regional centres for peace and disarmament,

Recalling also the reports of the Secretary-General on the United Nations Regional Centre for Peace and Disarmament in Africa,[196] the United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific[197] and the United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean,[198]

Reaffirming its decision, taken in 1982 at its twelfth special session, to establish the United Nations Disarmament Information Programme, the purpose of which is to inform, educate and generate public understanding and support for the objectives of the United Nations in the field of arms control and disarmament,[199]

Bearing in mind its resolutions 40/151 G of 16 December 1985, 41/60 J of 3 December 1986, 42/39 D of 30 November 1987 and 44/117 F of 15 December 1989 on the regional centres for peace and disarmament in Nepal, Peru and Togo,

Recognizing that the changes that have taken place in the world have created new opportunities as well as posed new challenges for the pursuit of disarmament, and, in this regard, bearing in mind that the regional centres for peace and disarmament can contribute substantially to understanding and cooperation among States in each particular region in the areas of peace, disarmament and development,

Noting that in paragraph 146 of the Final Document of the Twelfth Conference of Heads of State or Government of the Non-Aligned Countries, held at Durban, South Africa, from

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[195] The draft resolution recommended in the report was sponsored in the Committee by Malaysia (on behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries).

[196] A/58/139.

[197] A/58/190.

[198] A/58/122.

[199] See *Official Records of the General Assembly, Twelfth Special Session, Plenary Meetings*, 1st meeting, paras. 110 and 111.

29 August to 3 September 1998, the heads of State or Government welcomed the decision adopted by the General Assembly on maintaining and revitalizing the three regional centres for peace and disarmament in Nepal, Peru and Togo,[200]

1. *Reiterates* the importance of the United Nations activities at the regional level to increase the stability and security of its Member States, which could be promoted in a substantive manner by the maintenance and revitalization of the three regional centres for peace and disarmament;

2. *Reaffirms* that, in order to achieve positive results, it is useful for the three regional centres to carry out dissemination and educational programmes that promote regional peace and security and that are aimed at changing basic attitudes with respect to peace and security and disarmament so as to support the achievement of the principles and purposes of the United Nations;

3. *Appeals* to Member States in each region and those that are able to do so, as well as to international governmental and non-governmental organizations and foundations, to make voluntary contributions to the regional centres in their respective regions to strengthen their activities and initiatives;

4. *Emphasizes* the importance of the activities of the regional branch of the Department for Disarmament Affairs of the Secretariat;

5. *Requests* the Secretary-General to provide all necessary support, within existing resources, to the regional centres in carrying out their programmes of activities;

6. *Decides* to include in the provisional agenda of its fifty-ninth session the item entitled "United Nations regional centres for peace and disarmament".

RESOLUTION 58/64

Adopted at the 71st plenary meeting, on 8 December 2003, on the recommendation of the Committee (A/58/463, para. 23),[201] by a recorded vote of 118 to 46, with 13 abstentions, as follows:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Netherlands, New Zealand, Norway, Poland, Portugal, Romania, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Argentina, Armenia, Azerbaijan, Georgia, Japan, Kazakhstan, Kyrgyzstan, Republic of Korea, Republic of Moldova, Russian Federation, Tajikistan, Ukraine, Uzbekistan

58/64. Convention on the Prohibition of the Use of Nuclear Weapons

The General Assembly,

Convinced that the use of nuclear weapons poses the most serious threat to the survival of mankind,

Bearing in mind the advisory opinion of the International Court of Justice of 8 July 1996 on the *Legality of the Threat or Use of Nuclear Weapons*,[202]

Convinced that a multilateral, universal and binding agreement prohibiting the use or threat of use of nuclear weapons would contribute to the elimination of the nuclear threat and to the climate for negotiations leading to the ultimate elimination of nuclear weapons, thereby strengthening international peace and security,

Conscious that some steps taken by the Russian Federation and the United States of America towards a reduction of their nuclear weapons and the improvement in the international climate can contribute towards the goal of the complete elimination of nuclear weapons,

Recalling that, in paragraph 58 of the Final Document of the Tenth Special Session of the General Assembly,[203] whose twenty-fifth anniversary is being marked this year, it is stated that all States should actively participate in efforts to bring about conditions in international relations among States in which a code of peaceful conduct of nations in international affairs could be agreed upon and that would preclude the use or threat of use of nuclear weapons,

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[200] A/53/667-S/1998/1071, annex I.

[201] The draft resolution recommended in the report was sponsored in the Committee by: Bangladesh, Bhutan, Brunei Darussalam, Burkina Faso, Cambodia, Colombia, Congo, Cuba, Democratic People's Republic of Korea, Ecuador, Egypt, El Salvador, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Jordan, Kenya, Lao People's Democratic Republic, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritius, Myanmar, Namibia, Nepal, Papua New Guinea, Solomon Islands, Sudan, Viet Nam and Zambia.

[202] A/51/218, annex; see also *Legality of the Threat or Use of Nuclear Weapons, Advisory Opinion, I.C.J. Reports 1996*, p. 226.

[203] See resolution S-10/2.

Reaffirming that any use of nuclear weapons would be a violation of the Charter of the United Nations and a crime against humanity, as declared in its resolutions 1653 (XVI) of 24 November 1961, 33/71 B of 14 December 1978, 34/83 G of 11 December 1979, 35/152 D of 12 December 1980 and 36/92 I of 9 December 1981,

Determined to achieve an international convention prohibiting the development, production, stockpiling and use of nuclear weapons, leading to their ultimate destruction,

Stressing that an international convention on the prohibition of the use of nuclear weapons would be an important step in a phased programme towards the complete elimination of nuclear weapons, with a specified framework of time,

Noting with regret that the Conference on Disarmament, during its 2003 session, was unable to undertake negotiations on this subject as called for in General Assembly resolution 57/94 of 22 November 2002,

1. *Reiterates its request* to the Conference on Disarmament to commence negotiations in order to reach agreement on an international convention prohibiting the use or threat of use of nuclear weapons under any circumstances;

2. *Requests* the Conference on Disarmament to report to the General Assembly on the results of those negotiations.

RESOLUTION 58/65

Adopted at the 71st plenary meeting, on 8 December 2003, without a vote, on the recommendation of the Committee (A/58/463, para. 23)[204]

58/65. Regional confidence-building measures: activities of the United Nations Standing Advisory Committee on Security Questions in Central Africa

The General Assembly,

Bearing in mind the purposes and principles of the United Nations and its primary responsibility for the maintenance of international peace and security in accordance with the Charter of the United Nations,

Recalling its resolutions 43/78 H and 43/85 of 7 December 1988, 44/21 of 15 November 1989, 45/58 M of 4 December 1990, 46/37 B of 6 December 1991, 47/53 F of 15 December 1992, 48/76 A of 16 December 1993, 49/76 C of 15 December 1994, 50/71 B of 12 December 1995, 51/46 C of 10 December 1996, 52/39 B of 9 December 1997, 53/78 A of 4 December 1998, 54/55 A of 1 December 1999, 55/34 B of 20 November 2000, 56/25 A of 29 November 2001 and 57/88 of 22 November 2002,

Considering the importance and effectiveness of confidence-building measures taken at the initiative and with the participation of all States concerned and taking into account the specific characteristics of each region, since such measures can contribute to regional stability and to international peace and security,

Convinced that the resources released by disarmament, including regional disarmament, can be devoted to economic and social development and to the protection of the environment for the benefit of all peoples, in particular those of the developing countries,

Recalling the guidelines for general and complete disarmament adopted at its tenth special session, the first special session devoted to disarmament,

Convinced that development can be achieved only in a climate of peace, security and mutual confidence both within and among States,

Bearing in mind the establishment by the Secretary-General on 28 May 1992 of the United Nations Standing Advisory Committee on Security Questions in Central Africa, the purpose of which is to encourage arms limitation, disarmament, non-proliferation and development in the subregion,

Recalling the Brazzaville Declaration on Cooperation for Peace and Security in Central Africa,[205] the Bata Declaration for the Promotion of Lasting Democracy, Peace and Development in Central Africa,[206] and the Yaoundé Declaration on Peace, Security and Stability in Central Africa,[207]

Bearing in mind resolutions 1196 (1998) and 1197 (1998), adopted by the Security Council on 16 and 18 September 1998 respectively, following its consideration of the report of the Secretary-General on the causes of conflict and the promotion of durable peace and sustainable development in Africa,[208]

Emphasizing the need to strengthen the capacity for conflict prevention and peacekeeping in Africa,

Recalling the decision of the fourth ministerial meeting of the Standing Advisory Committee in favour of establishing, under the auspices of the United Nations High Commissioner for Human Rights, a subregional centre for human rights and democracy in Central Africa at Yaoundé,

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[204] The draft resolution recommended in the report was sponsored in the Committee by: Burundi, Cameroon, Central African Republic, Chad, Congo, Democratic Republic of the Congo, Equatorial Guinea, Gabon, Rwanda and Sao Tome and Principe.

[205] A/50/474, annex I.

[206] A/53/258-S/1998/763, annex II, appendix I.

[207] A/53/868-S/1999/303, annex II.

[208] A/52/871-S/1998/318.

1. *Takes note* of the report of the Secretary-General on regional confidence-building measures, which deals with the activities of the United Nations Standing Advisory Committee on Security Questions in Central Africa in the period since the adoption by the General Assembly of resolution 57/88;[209]

2. *Reaffirms its support* for efforts aimed at promoting confidence-building measures at the regional and subregional levels in order to ease tensions and conflicts in Central Africa and to further peace, stability and sustainable development in the subregion;

3. *Also reaffirms its support* for the programme of work of the Standing Advisory Committee adopted at the organizational meeting of the Committee, held at Yaoundé from 27 to 31 July 1992;

4. *Notes with satisfaction* the progress made by the States members of the Standing Advisory Committee in implementing the programme of activities for the period 2002–2003, in particular by:

(*a*) Holding a seminar on the implementation in the Central African region of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects[210] at Brazzaville from 12 to 14 May 2003;

(*b*) Holding the nineteenth ministerial meeting of the Standing Advisory Committee at Brazzaville from 14 to 17 May 2003;

(*c*) Holding the "Biyongho 2003" military peacekeeping exercise at Franceville, Gabon, from 21 to 28 July 2003;

(*d*) Holding the twentieth ministerial meeting of the Standing Advisory Committee at Malabo from 27 to 31 October 2003;

5. *Emphasizes* the importance of providing the States members of the Standing Advisory Committee with the essential support they need to carry out the full programme of activities which they adopted at their ministerial meetings;

6. *Welcomes* the creation of a mechanism for the promotion, maintenance and consolidation of peace and security in Central Africa, to be known as the Council for Peace and Security in Central Africa, by the Conference of Heads of State and Government of the member countries of the Economic Community of Central African States, held at Yaoundé on 25 February 1999, and requests the Secretary-General to give his full support to the effective realization of that important mechanism;

7. *Emphasizes* the need to make the early warning mechanism in Central Africa operational so that it will serve, on the one hand, as an instrument for analysing and monitoring political situations in the States members of the Standing Advisory Committee with a view to preventing the outbreak of future armed conflicts and, on the other hand, as a technical body through which the member States will carry out the programme of work of the Committee, adopted at its organizational meeting held at Yaoundé in 1992, and requests the Secretary-General to provide it with the assistance necessary for it to function properly;

8. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to continue to provide their full assistance for the proper functioning of the Subregional Centre for Human Rights and Democracy in Central Africa;

9. *Requests* the Secretary-General, pursuant to Security Council resolution 1197 (1998), to provide the States members of the Standing Advisory Committee with the necessary support for the implementation and smooth functioning of the Council for Peace and Security in Central Africa and the early warning mechanism;

10. *Also requests* the Secretary-General to support the establishment of a network of parliamentarians with a view to the creation of a subregional parliament in Central Africa;

11. *Requests* the Secretary-General and the United Nations High Commissioner for Refugees to continue to provide increased assistance to the countries of Central Africa for coping with the problems of refugees and displaced persons in their territories;

12. *Thanks* the Secretary-General for having established the Trust Fund for the United Nations Standing Advisory Committee on Security Questions in Central Africa;

13. *Appeals* to Member States and to governmental and non-governmental organizations to make additional voluntary contributions to the Trust Fund for the implementation of the programme of work of the Standing Advisory Committee;

14. *Thanks* the Secretary-General for sending a multidisciplinary assessment mission to the Central African region from 8 to 22 June 2003 for the purposes of identifying priority needs and challenges confronting the subregion, in particular focusing on issues of peace, security, economic development, humanitarian questions, human rights and HIV/AIDS;

15. *Requests* the Secretary-General to continue to provide the States members of the Standing Advisory

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[209] A/58/177.

[210] See *Report of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, New York, 9–20 July 2001* (A/CONF.192/15), chap. IV, para. 24.

Committee with assistance to ensure that they are able to carry on their efforts;

16. *Also requests* the Secretary-General to submit to the General Assembly at its fifty-ninth session a report on the implementation of the present resolution;

17. *Decides* to include in the provisional agenda of its fifty-ninth session the item entitled "Regional confidence-building measures: activities of the United Nations Standing Advisory Committee on Security Questions in Central Africa".

RESOLUTION 58/66

Adopted at the 71st plenary meeting, on 8 December 2003, without a vote, on the recommendation of the Committee (A/58/464, para. 9)[211]

58/66. Report of the Conference on Disarmament

The General Assembly,

Having considered the report of the Conference on Disarmament,[212]

Convinced that the Conference on Disarmament, as the single multilateral disarmament negotiating forum of the international community, has the primary role in substantive negotiations on priority questions of disarmament,

Recognizing the need to conduct multilateral negotiations with the aim of reaching agreement on concrete issues,

Recalling, in this respect, that the Conference has a number of urgent and important issues for negotiation,

Taking note of active discussions held on the programme of work during the 2003 session of the Conference, as duly reflected in the report and the records of the plenary meetings,

Taking note also of significant contributions made during the 2003 session to promote substantive discussions on issues on the agenda in the plenary meetings, as well as of discussions held on other issues that could also be relevant to the current international security environment,

Stressing the urgent need for the Conference to commence substantive work on its agreed agenda items at this juncture,

1. *Reaffirms* the role of the Conference on Disarmament as the single multilateral disarmament negotiating forum of the international community;

2. *Urges* the Conference to fulfil that role in the light of the evolving international situation, with a view to making early substantive progress on priority items on its agenda;

3. *Welcomes* the strong collective interest of the Conference in commencing substantive work as soon as possible during its 2004 session;

4. *Also welcomes* the decision of the Conference to request its current President and the incoming President to conduct consultations during the intersessional period and, if possible, to make recommendations, taking into account all relevant proposals, including that contained in CD/1693/Rev.1, views presented and discussions held, and to endeavour to keep the membership of the Conference informed, as appropriate, of their consultations, as expressed in paragraph 38 of its report;[212]

5. *Requests* all States members of the Conference to cooperate with the current President and successive Presidents in their efforts to guide the Conference to the early commencement of substantive work in its 2004 session;

6. *Requests* the Secretary-General to continue to ensure the provision to the Conference of adequate administrative, substantive and conference support services;

7. *Requests* the Conference to submit a report on its work to the General Assembly at its fifty-ninth session;

8. *Decides* to include in the provisional agenda of its fifty-ninth session the item entitled "Report of the Conference on Disarmament".

RESOLUTION 58/67

Adopted at the 71st plenary meeting, on 8 December 2003, without a vote, on the recommendation of the Committee (A/58/464, para. 9)[213]

58/67. Report of the Disarmament Commission

The General Assembly,

Having considered the report of the Disarmament Commission,[214]

Recalling its resolutions 47/54 A of 9 December 1992, 47/54 G of 8 April 1993, 48/77 A of 16 December 1993, 49/77 A of 15 December 1994, 50/72 D of 12 December 1995, 51/47 B of 10 December 1996, 52/40 B of 9 December 1997, 53/79 A of 4 December 1998, 54/56 A of 1 December 1999, 55/35 C of 20 November 2000, 56/26 A of 29 November 2001 and 57/95 of 22 November 2002,

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[211] The draft resolution recommended in the report was sponsored in the Committee by Japan.

[212] *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 27* (A/58/27).

[213] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Belarus, Brazil, Czech Republic, Egypt, Guatemala, Italy, Kazakhstan, Morocco, Nepal and Venezuela.

[214] *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 42* (A/58/42).

Considering the role that the Disarmament Commission has been called upon to play and the contribution that it should make in examining and submitting recommendations on various problems in the field of disarmament and in the promotion of the implementation of the relevant decisions adopted by the General Assembly at its tenth special session,

Bearing in mind its decision 52/492 of 8 September 1998,

1. *Takes note* of the report of the Disarmament Commission;[214]

2. *Reaffirms* the importance of further enhancing the dialogue and cooperation among the First Committee, the Disarmament Commission and the Conference on Disarmament;

3. *Also reaffirms* the role of the Disarmament Commission as the specialized, deliberative body within the United Nations multilateral disarmament machinery that allows for in-depth deliberations on specific disarmament issues, leading to the submission of concrete recommendations on those issues;

4. *Requests* the Disarmament Commission to continue its work in accordance with its mandate, as set forth in paragraph 118 of the Final Document of the Tenth Special Session of the General Assembly,[215] and with paragraph 3 of Assembly resolution 37/78 H of 9 December 1982, and to that end to make every effort to achieve specific recommendations on the items on its agenda, taking into account the adopted "Ways and means to enhance the functioning of the Disarmament Commission";[216]

5. *Recommends* that the Disarmament Commission consider the following items at its 2004 substantive session:

(*a*) [To be determined];

(*b*) [To be determined];

6. *Requests* the Disarmament Commission to meet for a period not exceeding three weeks during 2004, namely, from 5 to 23 April, and to submit a substantive report to the General Assembly at its fifty-ninth session;

7. *Requests* the Secretary-General to transmit to the Disarmament Commission the annual report of the Conference on Disarmament,[217] together with all the official records of the fifty-eighth session of the General Assembly relating to disarmament matters, and to render all assistance that the Commission may require for implementing the present resolution;

8. *Also requests* the Secretary-General to ensure full provision to the Disarmament Commission and its subsidiary bodies of interpretation and translation facilities in the official languages and to assign, as a matter of priority, all the necessary resources and services, including verbatim records, to that end;

9. *Decides* to include in the provisional agenda of its fifty-ninth session the item entitled "Report of the Disarmament Commission".

RESOLUTION 58/68

Adopted at the 71st plenary meeting, on 8 December 2003, on the recommendation of the Committee (A/58/465, para. 7),[218] by a recorded vote of 162 to 4, with 10 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: Israel, Marshall Islands, Micronesia (Federated States of), United States of America

Abstaining: Australia, Cameroon, Canada, Ethiopia, India, Papua New Guinea, Rwanda, Tonga, Trinidad and Tobago, Vanuatu

58/68. The risk of nuclear proliferation in the Middle East

The General Assembly,

Bearing in mind its relevant resolutions,

Taking note of the relevant resolutions adopted by the General Conference of the International Atomic Energy

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[215] See resolution S-10/2.

[216] A/CN.10/137.

[217] *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 27* (A/58/27).

[218] The draft resolution recommended in the report was sponsored in the Committee by Egypt (on behalf of the States Members of the United Nations that are members of the League of Arab States).

Agency, the latest of which is resolution GC(47)/RES/13, adopted on 19 September 2003,[219]

Cognizant that the proliferation of nuclear weapons in the region of the Middle East would pose a serious threat to international peace and security,

Mindful of the immediate need for placing all nuclear facilities in the region of the Middle East under full-scope safeguards of the International Atomic Energy Agency,

Recalling the decision on principles and objectives for nuclear non-proliferation and disarmament adopted by the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons on 11 May 1995,[220] in which the Conference urged universal adherence to the Treaty as an urgent priority and called upon all States not yet parties to the Treaty to accede to it at the earliest date, particularly those States that operate unsafeguarded nuclear facilities,

Recognizing with satisfaction that, in the Final Document of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, the Conference undertook to make determined efforts towards the achievement of the goal of universality of the Treaty on the Non-Proliferation of Nuclear Weapons, called upon those remaining States not parties to the Treaty to accede to it, thereby accepting an international legally binding commitment not to acquire nuclear weapons or nuclear explosive devices and to accept International Atomic Energy Agency safeguards on all their nuclear activities, and underlined the necessity of universal adherence to the Treaty and of strict compliance by all parties with their obligations under the Treaty,[221]

Recalling the resolution on the Middle East adopted by the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons on 11 May 1995,[222] in which the Conference noted with concern the continued existence in the Middle East of unsafeguarded nuclear facilities, reaffirmed the importance of the early realization of universal adherence to the Treaty and called upon all States in the Middle East that had not yet done so, without exception, to accede to the Treaty as soon as possible and to place all their nuclear facilities under full-scope International Atomic Energy Agency safeguards,

Noting that Israel remains the only State in the Middle East that has not yet become party to the Treaty on the Non-Proliferation of Nuclear Weapons,[223]

Concerned about the threats posed by the proliferation of nuclear weapons to the security and stability of the Middle East region,

Stressing the importance of taking confidence-building measures, in particular the establishment of a nuclear-weapon-free zone in the Middle East, in order to enhance peace and security in the region and to consolidate the global non-proliferation regime,

Emphasizing the need for all parties directly concerned to consider seriously taking the practical and urgent steps required for the implementation of the proposal to establish a nuclear-weapon-free zone in the region of the Middle East in accordance with the relevant resolutions of the General Assembly and, as a means of promoting this objective, inviting the countries concerned to adhere to the Treaty on the Non-Proliferation of Nuclear Weapons and, pending the establishment of the zone, to agree to place all their nuclear activities under International Atomic Energy Agency safeguards,

Noting that one hundred and sixty-nine States have signed the Comprehensive Nuclear-Test-Ban Treaty,[224] including a number of States in the region,

1. *Welcomes* the conclusions on the Middle East of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons;[225]

2. *Reaffirms* the importance of Israel's accession to the Treaty on the Non-Proliferation of Nuclear Weapons[223] and placement of all its nuclear facilities under comprehensive International Atomic Energy Agency safeguards, in realizing the goal of universal adherence to the Treaty in the Middle East;

3. *Calls upon* that State to accede to the Treaty on the Non-Proliferation of Nuclear Weapons without further delay and not to develop, produce, test or otherwise acquire nuclear weapons, and to renounce possession of nuclear weapons, and to place all its unsafeguarded nuclear facilities under full-scope International Atomic Energy Agency safeguards as an important confidence-building measure among all States of the region and as a step towards enhancing peace and security;

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[219] See International Atomic Energy Agency, *Resolutions and Other Decisions of the General Conference, Forty-seventh Regular Session, 15–19 September 2003* (GC(47)/RES/DEC(2003)).

[220] *1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document, Part I* (NPT/CONF.1995/32 (Part I) and Corr.2), annex, decision 2.

[221] See *2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document*, vol. I (NPT/CONF.2000/28 (Parts I and II)), part I, section entitled "Article IX".

[222] See *1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document, Part I* (NPT/CONF.1995/32 (Part I) and Corr.2), annex.

[223] United Nations, *Treaty Series*, vol. 729, No. 10485.

[224] See resolution 50/245.

[225] See *2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document*, vol. I (NPT/CONF.2000/28 (Parts I and II)), part I, section entitled "Article VII and the security of non-nuclear-weapon States", para. 16.

4. *Requests* the Secretary-General to report to the General Assembly at its fifty-ninth session on the implementation of the present resolution;

5. *Decides* to include in the provisional agenda of its fifty-ninth session the item entitled "The risk of nuclear proliferation in the Middle East".

RESOLUTION 58/69

Adopted at the 71st plenary meeting, on 8 December 2003, without a vote, on the recommendation of the Committee (A/58/466, para. 8)[226]

58/69. Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects

The General Assembly,

Recalling its resolution 57/98 of 22 November 2002 and previous resolutions referring to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects,[227]

Recalling with satisfaction the adoption, on 10 October 1980, of the Convention, together with the Protocol on Non-Detectable Fragments (Protocol I),[227] the Protocol on Prohibitions or Restrictions on the Use of Mines, Booby Traps and Other Devices (Protocol II)[227] and the Protocol on Prohibitions or Restrictions on the Use of Incendiary Weapons (Protocol III),[227] which entered into force on 2 December 1983,

Also recalling with satisfaction the adoption by the First Review Conference of the States Parties to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, on 13 October 1995 of the Protocol on Blinding Laser Weapons (Protocol IV),[228] and on 3 May 1996 of the amended Protocol on Prohibitions or Restrictions on the Use of Mines, Booby Traps and Other Devices (Protocol II),[229] which entered into force on 30 July 1998 and 3 December 1998 respectively,

Welcoming the results of the Second Review Conference of the States Parties to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects,[230] and commending the efforts of the President of the Conference,

Recalling with satisfaction the decision by the Second Review Conference, on 21 December 2001, to extend the scope of the Convention and the Protocols thereto to include armed conflicts of a non-international character,[230]

Recalling the decision by the Second Review Conference to commission follow-up work under the oversight of the Chairman-designate of a meeting of States parties to the Convention and in this context the decision to establish an open-ended group of governmental experts with two separate coordinators on explosive remnants of war and on mines other than anti-personnel mines,[230]

Welcoming the additional ratifications and acceptances of or accessions to the Convention and to amended Protocol II and Protocol IV, as well as accessions to the amendment of article I of the Convention, as adopted in 2001,[230]

Recalling the role played by the International Committee of the Red Cross in the elaboration of the Convention and the Protocols thereto,

Noting that the rules of procedure of the First Annual Conference of States Parties to Amended Protocol II provide for the invitation of States not parties to the Protocol, the International Committee of the Red Cross and interested non-governmental organizations to take part in the Conference,

Welcoming the particular efforts of various international, non-governmental and other organizations in raising awareness of the humanitarian consequences of explosive remnants of war,

Welcoming also the results of the Fourth Annual Conference of States Parties to Amended Protocol II, held at Geneva on 11 December 2002,[231]

1. *Calls upon* all States that have not yet done so to take all measures to become parties, as soon as possible, to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects[227] and the Protocols thereto, as amended, as well as the amendment of article I extending the scope of the Convention,[230] with a view to achieving the widest possible adherence to these instruments

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[226] The draft resolution recommended in the report was sponsored in the Committee by: Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Bulgaria, Canada, Colombia, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Ecuador, El Salvador, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Guatemala, Haiti, Hungary, Iceland, India, Ireland, Italy, Kazakhstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Mali, Monaco, Mongolia, Nauru, Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Serbia and Montenegro, Sierra Leone, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, Ukraine, United Kingdom of Great Britain and Northern Ireland and Uruguay.

[227] See *The United Nations Disarmament Yearbook*, vol. 5: 1980 (United Nations publication, Sales No. E.81.IX.4), appendix VII.

[228] CCW/CONF.I/16 (Part I), annex A.

[229] Ibid., annex B.

[230] See CCW/CONF.II/2 and Corr.1, part II.

[231] See CCW/AP.II/CONF.4/3 (Part I).

at an early date, and calls upon successor States to take appropriate measures so that ultimately adherence to these instruments will be universal;

2. *Calls upon* all States parties to the Convention that have not yet done so to express their consent to be bound by the Protocols to the Convention;

3. *Calls upon* all States parties to the Convention that have not yet done so to notify the depositary at an early date of their consent to be bound by the amendment extending the scope of the Convention and the Protocols thereto to include armed conflicts of a non-international character;[230]

4. *Notes* the decision of the Meeting of the States Parties to the Convention held on 12 and 13 December 2002[232] that the Working Group on Explosive Remnants of War would continue its work in 2003 with the mandate to negotiate an instrument on post-conflict remedial measures of a generic nature that would reduce the risks of explosive remnants of war and to explore and determine whether these negotiations could successfully address preventive generic measures for improving the reliability of munitions and, separate from these negotiations, to continue to consider the implementation of existing principles of international humanitarian law and to further study, on an open-ended basis, possible preventive measures aimed at improving the design of certain specific types of munitions, including sub-munitions, with a view to minimizing the humanitarian risk of these munitions' becoming explosive remnants of war;[233]

5. *Also notes* the decision of the Meeting of the States Parties to the Convention that the Working Group on Mines Other Than Anti-Personnel Mines would continue its work in 2003 with the mandate to explore the issue of mines other than anti-personnel mines, and consider the most appropriate way to reduce the risks posed by the irresponsible use of mines other than anti-personnel mines, including the possibility of concluding a negotiating mandate for a new instrument and other appropriate measures, taking into account the issues specified in the decision;[234]

6. *Further notes* the decision of the Meeting of the States Parties to the Convention that the Chairman-designate should continue to undertake consultations during the intersessional period on possible options to promote compliance with the Convention and the Protocols thereto, taking into account proposals put forward;[235]

7. *Expresses support* for the work conducted by the Group of Governmental Experts, and encourages the Chairman-designate and the Group to conduct work expeditiously with a view to submitting a possible proposal for an instrument on explosive remnants of war to States parties for consideration at their meeting on 27 and 28 November 2003 and with a view to submitting to the States parties' reports on mines other than anti-personnel mines and on compliance;

8. *Requests* the Secretary-General to render the necessary assistance and to provide such services, including summary records, as may be required for the Meeting of States Parties to the Convention to be held on 27 and 28 November 2003, as well as for any possible continuation of work after the Meeting, should the States parties deem it appropriate;

9. *Also requests* the Secretary-General, in his capacity as depositary of the Convention and the Protocols thereto, to continue to inform the General Assembly periodically, by electronic means, of ratifications and acceptances of and accessions to the Convention and the Protocols thereto;

10. *Decides* to include in the provisional agenda of its fifty-ninth session the item entitled "Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects".

RESOLUTION 58/70

Adopted at the 71st plenary meeting, on 8 December 2003, without a vote, on the recommendation of the Committee (A/58/467, para. 7)[236]

58/70. Strengthening of security and cooperation in the Mediterranean region

The General Assembly,

Recalling its previous resolutions on the subject, including resolution 57/99 of 22 November 2002,

Reaffirming the primary role of the Mediterranean countries in strengthening and promoting peace, security and cooperation in the Mediterranean region,

Bearing in mind all the previous declarations and commitments, as well as all the initiatives taken by the riparian countries at the recent summits, ministerial meetings and various forums concerning the question of the Mediterranean region,

Recognizing the indivisible character of security in the Mediterranean and that the enhancement of cooperation among

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[232] See CCW/MSP/2002/2.

[233] Ibid., para. 21.

[234] Ibid., para. 22.

[235] Ibid., para. 23.

[236] The draft resolution recommended in the report was sponsored in the Committee by: Albania, Algeria, Andorra, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Egypt, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Ireland, Italy, Jordan, Latvia, Lebanon, Lithuania, Luxembourg, Malta, Mauritania, Monaco, Morocco, Netherlands, Norway, Poland, Portugal, Romania, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, the former Yugoslav Republic of Macedonia, Tunisia, Turkey, United Kingdom of Great Britain and Northern Ireland, Zambia and Zimbabwe.

Mediterranean countries with a view to promoting the economic and social development of all peoples of the region will contribute significantly to stability, peace and security in the region,

Recognizing also the efforts made so far and the determination of the Mediterranean countries to intensify the process of dialogue and consultations with a view to resolving the problems existing in the Mediterranean region and to eliminating the causes of tension and the consequent threat to peace and security, and their growing awareness of the need for further joint efforts to strengthen economic, social, cultural and environmental cooperation in the region,

Recognizing further that prospects for closer Euro-Mediterranean cooperation in all spheres can be enhanced by positive developments worldwide, in particular in Europe, in the Maghreb and in the Middle East,

Reaffirming the responsibility of all States to contribute to the stability and prosperity of the Mediterranean region and their commitment to respecting the purposes and principles of the Charter of the United Nations as well as the provisions of the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations,[237]

Noting the peace negotiations in the Middle East, which should be of a comprehensive nature and represent an appropriate framework for the peaceful settlement of contentious issues in the region,

Expressing its concern at the persistent tension and continuing military activities in parts of the Mediterranean that hinder efforts to strengthen security and cooperation in the region,

Taking note of the report of the Secretary-General,[238]

1. *Reaffirms* that security in the Mediterranean is closely linked to European security as well as to international peace and security;

2. *Expresses its satisfaction* at the continuing efforts by Mediterranean countries to contribute actively to the elimination of all causes of tension in the region and to the promotion of just and lasting solutions to the persistent problems of the region through peaceful means, thus ensuring the withdrawal of foreign forces of occupation and respecting the sovereignty, independence and territorial integrity of all countries of the Mediterranean and the right of peoples to self-determination, and therefore calls for full adherence to the principles of non-interference, non-intervention, non-use of force or threat of use of force and the inadmissibility of the acquisition of territory by force, in accordance with the Charter of the United Nations and the relevant resolutions of the United Nations;

3. *Commends* the Mediterranean countries for their efforts in meeting common challenges through coordinated overall responses, based on a spirit of multilateral partnership, towards the general objective of turning the Mediterranean basin into an area of dialogue, exchanges and cooperation, guaranteeing peace, stability and prosperity, encourages them to strengthen such efforts through, inter alia, a lasting multilateral and action-oriented cooperative dialogue among States of the region, and recognizes the role of the United Nations in promoting regional and international peace and security;

4. *Recognizes* that the elimination of the economic and social disparities in levels of development and other obstacles as well as respect and greater understanding among cultures in the Mediterranean area will contribute to enhancing peace, security and cooperation among Mediterranean countries through the existing forums;

5. *Calls upon* all States of the Mediterranean region that have not yet done so to adhere to all the multilaterally negotiated legal instruments related to the field of disarmament and non-proliferation, thus creating the necessary conditions for strengthening peace and cooperation in the region;

6. *Encourages* all States of the region to favour the necessary conditions for strengthening the confidence-building measures among them by promoting genuine openness and transparency on all military matters, by participating, inter alia, in the United Nations system for the standardized reporting of military expenditures and by providing accurate data and information to the United Nations Register of Conventional Arms;[239]

7. *Encourages* the Mediterranean countries to strengthen further their cooperation in combating terrorism in all its forms and manifestations, taking into account the relevant resolutions of the United Nations, and in combating international crime and illicit arms transfers and illicit drug production, consumption and trafficking, which pose a serious threat to peace, security and stability in the region and therefore to the improvement of the current political, economic and social situation and which jeopardize friendly relations among States, hinder the development of international cooperation and result in the destruction of human rights, fundamental freedoms and the democratic basis of pluralistic society;

8. *Requests* the Secretary-General to submit a report on means to strengthen security and cooperation in the Mediterranean region;

9. *Decides* to include in the provisional agenda of its fifty-ninth session the item entitled "Strengthening of security and cooperation in the Mediterranean region".

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[237] Resolution 2625 (XXV), annex.

[238] A/58/132 and Add.1 and 2.

[239] See resolution 46/36 L.

RESOLUTION 58/71

Adopted at the 71st plenary meeting, on 8 December 2003, on the recommendation of the Committee (A/58/468, para. 7),[240] by a recorded vote of 173 to 1, with 4 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: United States of America

Abstaining: Colombia, India, Mauritius, Syrian Arab Republic

58/71. Comprehensive Nuclear-Test-Ban Treaty

The General Assembly,

Reiterating that the cessation of nuclear-weapon test explosions or any other nuclear explosions constitutes an effective nuclear disarmament and non-proliferation measure,

Recalling that the Comprehensive Nuclear-Test-Ban Treaty, adopted by its resolution 50/245 of 10 September 1996, was opened for signature on 24 September 1996,

Stressing that a universal and effectively verifiable Comprehensive Nuclear-Test-Ban Treaty constitutes a fundamental instrument in the field of disarmament and nuclear non-proliferation,

Encouraged by the signing of the Treaty by one hundred and sixty-nine States, including forty-one of the forty-four needed for its entry into force, and welcoming the ratification of one hundred and seven States, including thirty-two of the forty-four needed for its entry into force, among which there are three nuclear-weapon States,

Recalling its resolution 57/100 of 22 November 2002,

Welcoming the Final Declaration of the third Conference on Facilitating the Entry into Force of the Comprehensive Nuclear-Test-Ban Treaty, held at Vienna from 3 to 5 September 2003,[241] pursuant to article XIV of the Treaty,

1. *Stresses* the importance and urgency of signature and ratification, without delay and without conditions and in accordance with constitutional processes, to achieve the earliest entry into force of the Comprehensive Nuclear-Test-Ban Treaty;

2. *Welcomes* the contributions by the States signatories to the work of the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization, in particular to its efforts to ensure that the Treaty's verification regime will be capable of meeting the verification requirements of the Treaty upon its entry into force, in accordance with article IV of the Treaty;

3. *Urges* States to maintain their moratoriums on nuclear-weapons test explosions or any other nuclear explosions, pending the entry into force of the Treaty;

4. *Urges* all States that have not yet signed the Treaty to sign and ratify it as soon as possible and to refrain from acts that would defeat its object and purpose in the meanwhile;

5. *Urges* all States that have signed but not yet ratified the Treaty, in particular those whose ratification is needed for its entry into force, to accelerate their ratification processes with a view to their earliest successful conclusion;

6. *Urges* all States to remain seized of the issue at the highest political level;

7. *Decides* to include in the provisional agenda of its fifty-ninth session the item entitled "Comprehensive Nuclear-Test-Ban Treaty".

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[240] The draft resolution recommended in the report was sponsored in the Committee by: Andorra, Argentina, Armenia, Australia, Austria, Bangladesh, Belgium, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Burkina Faso, Canada, Chile, China, Congo, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Ecuador, El Salvador, Fiji, Finland, France, Gabon, Germany, Greece, Haiti, Honduras, Hungary, Iceland, Ireland, Italy, Japan, Jordan, Kazakhstan, Kenya, Latvia, Liberia, Lithuania, Luxembourg, Malaysia, Malta, Mexico, Monaco, Nauru, Netherlands, New Zealand, Norway, Panama, Papua New Guinea, Paraguay, Philippines, Poland, Portugal, Republic of Korea, Romania, Russian Federation, San Marino, Serbia and Montenegro, Sierra Leone, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Suriname, Swaziland, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Tonga, Turkey, Tuvalu, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay, Vanuatu, Venezuela and Zambia.

[241] CTBT-Art. XIV/2003/5, annex I.

RESOLUTION 58/72

Adopted at the 71st plenary meeting, on 8 December 2003, without a vote, on the recommendation of the Committee (A/58/469, para. 8)[242]

58/72. Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction

The General Assembly,

Recalling its previous resolutions relating to the complete and effective prohibition of bacteriological (biological) and toxin weapons and to their destruction,

Noting with satisfaction that there are one hundred and fifty States parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction,[243] including all of the permanent members of the Security Council,

Bearing in mind its call upon all States parties to the Convention to participate in the implementation of the recommendations of the Review Conferences, including the exchange of information and data agreed to in the Final Declaration of the Third Review Conference of the Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction,[244] and to provide such information and data in conformity with standardized procedure to the Secretary-General on an annual basis and no later than 15 April,

Welcoming the reaffirmation made in the Final Declaration of the Fourth Review Conference[245] that under all circumstances the use of bacteriological (biological) and toxin weapons and their development, production and stockpiling are effectively prohibited under article I of the Convention,

Recalling the decision reached at the Fifth Review Conference to hold three annual meetings of the States parties of one week duration each year commencing in 2003 until the Sixth Review Conference and to hold a two-week meeting of experts to prepare for each meeting of the States parties,[246]

1. *Notes with satisfaction* the increase in the number of States parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction,[243] reaffirms the call upon all signatory States that have not yet ratified the Convention to do so without delay, and calls upon those States that have not signed the Convention to become parties thereto at an early date, thus contributing to the achievement of universal adherence to the Convention;

2. *Welcomes* the information and data provided to date, and reiterates its call upon all States parties to the Convention to participate in the exchange of information and data agreed to in the Final Declaration of the Third Review Conference of the Parties to the Convention;[244]

3. *Recalls* the decision reached at the Fifth Review Conference,[246] and calls upon the States parties to the Convention to participate in its implementation;

4. *Requests* the Secretary-General to continue to render the necessary assistance to the depositary Governments of the Convention and to provide such services as may be required for the implementation of the decisions and recommendations of the Review Conferences, including all necessary assistance to the annual meetings of the States parties and the meetings of experts;

5. *Decides* to include in the provisional agenda of its fifty-ninth session the item entitled "Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction".

RESOLUTION 58/241

Adopted at the 79th plenary meeting, on 23 December 2003, without a vote, on the recommendation of the Committee (A/58/462, para. 82)[247]

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[242] The draft resolution recommended in the report was sponsored in the Committee by Hungary.

[243] Resolution 2826 (XXVI), annex.

[244] BWC/CONF.III/23, part II.

[245] BWC/CONF.IV/9, part II.

[246] BWC/CONF.V/17, para. 18.

[247] The draft resolution recommended in the report was sponsored in the Committee by: Afghanistan, Algeria, Andorra, Angola, Argentina, Australia, Austria, Bahamas, Bangladesh, Barbados, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Central African Republic, Chile, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Equatorial Guinea, Estonia, Ethiopia, Fiji, Finland, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Haiti, Hungary, Iceland, India, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Latvia, Lesotho, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Mali, Malta, Mauritania, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Mozambique, Namibia, Nepal, Netherlands, Nicaragua, Niger, Nigeria, Norway, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Senegal, Serbia and Montenegro, Sierra Leone, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Turkey, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Zambia and Zimbabwe.

58/241. The illicit trade in small arms and light weapons in all its aspects

The General Assembly,

Reaffirming its resolution 57/72 of 22 November 2002,

Recalling its resolutions 50/70 B of 12 December 1995, 52/38 J of 9 December 1997, 53/77 E and 53/77 T of 4 December 1998, 54/54 R of 1 December 1999, 54/54 V of 15 December 1999, 55/33 Q of 20 November 2000 and 56/24 V of 24 December 2001,

Emphasizing the importance of early and full implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, adopted by the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects,[248]

Welcoming the adoption by consensus of the report of the First Biennial Meeting of States to Consider the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, held in New York from 7 to 11 July 2003,[249]

Welcoming also the efforts by Member States to submit, on a voluntary basis, national reports on their implementation of the Programme of Action,

Noting with satisfaction regional efforts being undertaken in support of the implementation of the Programme of Action,

Taking note of the report of the Secretary-General on the implementation of resolution 57/72,[250]

Welcoming the report on the feasibility of developing an international instrument to enable States to identify and trace, in a timely and reliable manner, illicit small arms and light weapons, prepared by the Group of Governmental Experts established pursuant to resolution 56/24 V,[251]

Conscious of its decision to convene a conference, no later than 2006, to review progress made in the implementation of the Programme of Action, the date and venue to be decided by the General Assembly at its fifty-eighth session,

1. *Decides* to convene a United Nations conference to review progress made in the implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects[248] in New York for a period of two weeks between June and July 2006;

2. *Also decides* that a session of the preparatory committee for the conference is to be held in New York for a period of two weeks in January 2006, and that, if necessary, a subsequent session may be held;

3. *Further decides* to convene in 2005 the second biennial meeting of States as stipulated in the Programme of Action to consider the national, regional and global implementation of the Programme of Action;

4. *Determines* that it is feasible to develop an international instrument to enable States to identify and trace, in a timely and reliable manner, illicit small arms and light weapons;

5. *Notes* that the character of the international instrument will be determined in the course of negotiations;

6. *Also notes* that the international instrument should be complementary to, and not inconsistent with, the existing commitments of States under relevant international instruments;

7. *Further notes* that the international instrument should take into account the national security and legal interests of States;

8. *Decides* to establish an open-ended working group, to meet in three sessions of two weeks each, to negotiate an international instrument to enable States to identify and trace, in a timely and reliable manner, illicit small arms and light weapons;

9. *Also decides* that the open-ended working group shall hold an organizational session in New York on 3 and 4 February 2004 in order to set the dates for its substantive sessions;

10. *Requests* the Secretary-General to provide the open-ended working group with the assistance and services that may be required for the discharge of its tasks;

11. *Also requests* the Secretary-General to hold broad-based consultations, within available financial resources and with any other assistance provided by Member States in a position to do so, with all Member States, interested regional and subregional organizations, international agencies and experts in the field, on further steps to enhance international cooperation in preventing, combating and eradicating illicit brokering in small arms and light weapons, taking into consideration the views of States provided to the Secretary-General, and requests the Secretary-General to report to the General Assembly at its fifty-ninth session on the outcome of his consultations;

12. *Continues to encourage* all initiatives to mobilize resources and expertise to promote the implementation of the

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[248] See *Report of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, New York, 9–20 July 2001* (A/CONF.192/15), chap. IV, para. 24.

[249] A/CONF.192/BMS/2003/1.

[250] See A/58/207.

[251] See A/58/138.

Programme of Action and to provide assistance to States in its implementation;

13. *Requests* the Secretary-General to continue to collate and circulate data and information provided by States on a voluntary basis, including national reports, on the implementation by those States of the Programme of Action, and encourages Member States to submit such reports;

14. *Also requests* the Secretary-General to report to the General Assembly at its fifty-ninth session on the implementation of the present resolution;

15. *Decides* to include in the provisional agenda of its fifty-ninth session the item entitled "The illicit trade in small arms and light weapons in all its aspects".

III. Resolutions adopted on the reports of the Special Political and Decolonization Committee (Fourth Committee)

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RESOLUTION 58/88

Adopted at the 72nd plenary meeting, on 9 December 2003, without a vote, on the recommendation of the Committee (A/58/470, para. 7)[1]

58/88. Effects of atomic radiation

The General Assembly,

Recalling its resolution 913 (X) of 3 December 1955, by which it established the United Nations Scientific Committee on the Effects of Atomic Radiation, and its subsequent resolutions on the subject, including resolution 57/115 of 11 December 2002, in which, inter alia, it requested the Scientific Committee to continue its work,

Taking note with appreciation of the work of the Scientific Committee,

Reaffirming the desirability of the Scientific Committee continuing its work,

Concerned about the potentially harmful effects on present and future generations resulting from the levels of radiation to which mankind and the environment are exposed,

Noting the views expressed by Member States at its fifty-eighth session with regard to the work of the Scientific Committee,

Noting with satisfaction that some Member States have expressed particular interest in becoming members of the Scientific Committee, and expressing its intention to consider the issue further at its next session,

Conscious of the continuing need to examine and compile information about atomic and ionizing radiation and to analyse its effects on mankind and the environment,

1. *Commends* the United Nations Scientific Committee on the Effects of Atomic Radiation for the valuable contribution it has been making in the course of the past forty-eight years, since its inception, to wider knowledge and understanding of the levels, effects and risks of ionizing radiation, and for fulfilling its original mandate with scientific authority and independence of judgement;

2. *Reaffirms* the decision to maintain the present functions and independent role of the Scientific Committee;

3. *Requests* the Scientific Committee to continue its work, including its important activities to increase knowledge of the levels, effects and risks of ionizing radiation from all sources, and invites the Scientific Committee to submit its programme of work to the General Assembly;

4. *Endorses* the intentions and plans of the Scientific Committee for its future activities of scientific review and assessment on behalf of the General Assembly;

5. *Requests* the Scientific Committee to continue at its next session the review of the important problems in the field of ionizing radiation and to report thereon to the General Assembly at its fifty-ninth session;

6. *Requests* the United Nations Environment Programme to continue providing support for the effective conduct of the work of the Scientific Committee and for the dissemination of its findings to the General Assembly, the scientific community and the public;

7. *Expresses its appreciation* for the assistance rendered to the Scientific Committee by Member States, the specialized agencies, the International Atomic Energy Agency and non-governmental organizations, and invites them to increase their cooperation in this field;

8. *Invites* the Scientific Committee to continue its consultations with scientists and experts from interested Member States in the process of preparing its future scientific reports;

9. *Welcomes*, in this context, the readiness of Member States to provide the Scientific Committee with relevant information on the effects of ionizing radiation in affected areas, and invites the Scientific Committee to analyse and give due consideration to such information, particularly in the light of its own findings;

10. *Invites* Member States, the organizations of the United Nations system and non-governmental organizations concerned to provide further relevant data about doses, effects and risks from various sources of radiation, which would greatly help in the preparation of future reports of the Scientific Committee to the General Assembly;

11. *Urges* the United Nations Environment Programme to review and strengthen the present funding of the Scientific Committee, pursuant to paragraph of resolution 57/115, so that the Committee can discharge the responsibilities and mandate entrusted to it by the General Assembly;

12. *Emphasizes* the need for the Scientific Committee to hold regular sessions on an annual basis so that its report can reflect the latest developments and findings in the field of ionizing radiation and thereby provide updated information for dissemination among all States.

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[1] The draft resolution recommended in the report was sponsored in the Committee by: Argentina, Australia, Austria, Belarus, Belgium, Bolivia, Brazil, Brunei Darussalam, Canada, Chile, China, Costa Rica, Cuba, Czech Republic, Denmark, Dominican Republic, Ecuador, Egypt, Finland, France, Greece, Guatemala, Iceland, India, Indonesia, Israel, Italy, Japan, Kazakhstan, Malaysia, Malta, Mexico, Monaco, Netherlands, Norway, Pakistan, Paraguay, Peru, Poland, Portugal, Russian Federation, Saint Vincent and the Grenadines, Singapore, Slovakia, South Africa, Spain, Sweden, Thailand, Ukraine, United Kingdom of Great Britain and Northern Ireland and Uruguay.

RESOLUTION 58/89

Adopted at the 72nd plenary meeting, on 9 December 2003, without a vote, on the recommendation of the Committee (A/58/471, para. 14)[2]

58/89. International cooperation in the peaceful uses of outer space

The General Assembly,

Recalling its resolutions 51/122 of 13 December 1996, 54/68 of 6 December 1999 and 57/116 of 11 December 2002,

Deeply convinced of the common interest of mankind in promoting and expanding the exploration and use of outer space, as the province of all mankind, for peaceful purposes and in continuing efforts to extend to all States the benefits derived therefrom, and also of the importance of international cooperation in this field, for which the United Nations should continue to provide a focal point,

Reaffirming the importance of international cooperation in developing the rule of law, including the relevant norms of space law and their important role in international cooperation for the exploration and use of outer space for peaceful purposes, and of the widest possible adherence to international treaties that promote the peaceful uses of outer space in order to meet emerging new challenges, especially for developing countries,

Seriously concerned about the possibility of an arms race in outer space, and bearing in mind the importance of article IV of the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies,[3]

Recognizing that all States, in particular those with major space capabilities, should contribute actively to the goal of preventing an arms race in outer space as an essential condition for the promotion and strengthening of international cooperation in the exploration and use of outer space for peaceful purposes,

Considering that space debris is an issue of concern to all nations,

Noting the progress achieved in the further development of peaceful space exploration and applications as well as in various national and cooperative space projects, which contributes to international cooperation, and the importance of further developing the legal framework to strengthen international cooperation in this field,

Convinced of the importance of the recommendations in the resolution entitled "The Space Millennium: Vienna Declaration on Space and Human Development", adopted by the Third United Nations Conference on the Exploration and Peaceful Uses of Outer Space (UNISPACE III), held at Vienna from 19 to 30 July 1999,[4] and the need to promote the use of space technology towards implementing the United Nations Millennium Declaration,[5]

Taking note of the report of the Secretary-General on the implementation of the recommendations of UNISPACE III,[6]

Convinced that the use of space science and technology and their applications, in such areas as telemedicine, tele-education and Earth observation, contribute to achieving the objectives of the global conferences of the United Nations that address various aspects of economic, social and cultural development, inter alia, poverty eradication,

Having considered the report of the Committee on the Peaceful Uses of Outer Space on the work of its forty-sixth session,[7]

1. *Endorses* the report of the Committee on the Peaceful Uses of Outer Space on the work of its forty-sixth session;[7]

2. *Urges* States that have not yet become parties to the international treaties governing the uses of outer space[8] to give consideration to ratifying or acceding to those treaties as well as incorporating them in their national legislation;

3. *Notes* that, at its forty-second session, the Legal Subcommittee of the Committee on the Peaceful Uses of Outer Space continued its work, as mandated by the General Assembly in its resolution 57/116;[9]

4. *Endorses* the recommendation of the Committee that the Legal Subcommittee, at its forty-third session, taking into account the concerns of all countries, in particular those of developing countries:

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[2] The draft resolution recommended in the report was sponsored in the Committee by Chile (on behalf of the Working Group of the Whole on International Cooperation in the Peaceful Uses of Outer Space).

[3] Resolution 2222 (XXI), annex.

[4] See *Report of the Third United Nations Conference on the Exploration and Peaceful Uses of Outer Space, Vienna, 19–30 July 1999* (United Nations publication, Sales No. E.00.I.3), chap. I, resolution 1.

[5] See resolution 55/2.

[6] A/58/174.

[7] *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 20* (A/58/20).

[8] Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies (resolution 2222 (XXI), annex); Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space (resolution 2345 (XXII), annex); Convention on International Liability for Damage Caused by Space Objects (resolution 2777 (XXVI), annex); Convention on Registration of Objects Launched into Outer Space (resolution 3235 (XXIX), annex); and Agreement Governing the Activities of States on the Moon and Other Celestial Bodies (resolution 34/68, annex).

[9] See *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 20* (A/58/20), chap. II.D.

(*a*) Consider the following as regular agenda items:

(i) General exchange of views;

(ii) Status and application of the five United Nations treaties on outer space;

(iii) Information on the activities of international organizations relating to space law;

(iv) Matters relating to:

a. The definition and delimitation of outer space;

b. The character and utilization of the geostationary orbit, including consideration of ways and means to ensure the rational and equitable use of the geostationary orbit without prejudice to the role of the International Telecommunication Union;

(*b*) Consider the following single issues/items for discussion:

(i) Review and possible revision of the Principles Relevant to the Use of Nuclear Power Sources in Outer Space;[10]

(ii) Examination of the preliminary draft protocol on matters specific to space assets to the Convention on International Interests in Mobile Equipment, opened for signature at Cape Town, South Africa, on 16 November 2001:

a. Considerations relating to the possibility of the United Nations serving as supervisory authority under the preliminary draft protocol;

b. Considerations relating to the relationship between the terms of the preliminary draft protocol and the rights and obligations of States under the legal regime applicable to outer space;

(iii) Contributions by the Legal Subcommittee to the Committee for the preparation of its report to the General Assembly for its review of the progress made in the implementation of the recommendations of the Third United Nations Conference on the Exploration and Peaceful Uses of Outer Space (UNISPACE III);

(*c*) Consider the practice of States and international organizations in registering space objects in accordance with the work plan adopted by the Committee;[11]

5. *Notes* that the Legal Subcommittee, at its forty-third session, will submit its proposals to the Committee for new items to be considered by the Subcommittee at its forty-fourth session, in 2005;

6. *Notes also* that, in the context of paragraph 4 (*a*) (ii) above, the Legal Subcommittee will reconvene its Working Group with the terms of reference as agreed upon by the Legal Subcommittee,[12] to meet for three years, from 2002 to 2004;

7. *Notes further* that, in the context of paragraph 4 (*a*) (iii) above, the Group of Experts on the Ethics of Outer Space, invited by the Committee at its forty-fourth session to identify which aspects of the report of the World Commission on the Ethics of Scientific Knowledge and Technology of the United Nations Educational, Scientific and Cultural Organization might need to be studied by the Committee and to draft a report, in consultation with other international organizations and in close liaison with the World Commission, presented its report to the Legal Subcommittee, and agrees that the report should be transmitted to the United Nations Educational, Scientific and Cultural Organization with the request that it keep the Committee and its subcommittees informed about its activities relating to outer space;

8. *Notes* that, in the context of paragraph 4 (*a*) (iv) above, the Legal Subcommittee will reconvene its Working Group on the item only to consider matters relating to the definition and delimitation of outer space;

9. *Agrees* that the Legal Subcommittee should reconvene its Working Group to consider the questions reflected in paragraphs 4 (*b*) (ii) *a.* and *b.* above separately;

10. *Notes with satisfaction* that, in accordance with paragraph 13 of General Assembly resolution 57/116, the Government of Austria continued to convene and facilitate intersessional informal consultations on the composition of the bureaux of the Committee and its subsidiary bodies for the third term, and that consensus agreement was reached, before the forty-sixth session of the Committee, on the extension of the term of office of the current bureau of the Committee and the future composition of the bureaux of the Committee and its subsidiary bodies;

11. *Endorses* the agreement reached by the Committee on the extension of the term of office of the current bureau of the Committee and future composition of the bureaux of the Committee and its subsidiary bodies,[13] on the basis of the measures relating to the working methods of the Committee and its subsidiary bodies,[14] which were endorsed by the General Assembly in its resolution 52/56 of 10 December 1997, and

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[10] See resolution 47/68.

[11] See *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 20* (A/58/20), para. 199.

[12] See A/AC.105/763 and Corr.1, para. 118, and A/AC.105/787, para. 138.

[13] *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 20* (A/58/20), annex II, paras. 4–9.

[14] Ibid., *Fifty-second Session, Supplement No. 20* (A/52/20), annex I. See also *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 20* (A/58/20), annex II, appendix III.

notes that, in accordance with paragraph 14 of General Assembly resolution 57/116, the Committee conducted the election of its officers at its forty-sixth session;

12. *Agrees* that the Committee and its subcommittees, at the beginning of their sessions in 2004, should conduct the election of the officers agreed upon by the Committee at its forty-sixth session;[15]

13. *Also agrees* that, in accordance with the measures relating to the future composition of the bureaux of the Committee and its subsidiary bodies indicated in paragraph 11 above, the Committee at its forty-seventh session, in 2004, should reach agreement on all the officers of the bureaux of the Committee and its subsidiary bodies for the next term and that, for this purpose, the Committee should include in the agenda of its forty-seventh session an item on the composition of the bureaux of the Committee and its subsidiary bodies for the period 2006–2007;

14. *Urges* each of the five regional groups to ensure that agreement within the group on the officer to be determined for the period 2006–2007 is reached before the forty-seventh session of the Committee;

15. *Notes* that the Scientific and Technical Subcommittee, at its fortieth session, continued its work as mandated by the General Assembly in its resolution 57/116;[16]

16. *Endorses* the recommendation of the Committee that the Scientific and Technical Subcommittee, at its forty-first session, taking into account the concerns of all countries, in particular those of developing countries:

(*a*) Consider the following items:

(i) General exchange of views and introduction to reports submitted on national activities;

(ii) United Nations Programme on Space Applications;

(iii) Implementation of the recommendations of UNISPACE III;

(iv) Matters relating to remote-sensing of the Earth by satellite, including applications for developing countries and monitoring of the Earth's environment;

(*b*) Consider the following items in accordance with the work plans adopted by the Committee:[17]

(i) Space debris;

(ii) Use of nuclear power sources in outer space;

(iii) Space-system-based telemedicine;

(*c*) Consider the following single issues/items for discussion:

(i) Examination of the physical nature and technical attributes of the geostationary orbit and its utilization and applications, including, inter alia, in the field of space communications, as well as other questions relating to developments in space communications, taking particular account of the needs and interests of developing countries;

(ii) Implementation of an integrated, space-based global natural disaster management system;

(iii) Solar-terrestrial physics;

17. *Notes* that the Scientific and Technical Subcommittee at its forty-first session will submit its proposal to the Committee for a draft provisional agenda for the forty-second session of the Subcommittee, in 2005;

18. *Endorses* the recommendation of the Committee that the symposium to strengthen the partnership with industry should be organized during the first week of the forty-first session of the Scientific and Technical Subcommittee and should address small satellite applications in agriculture, health and human security;

19. *Agrees* that, in the context of paragraphs 16 (*a*) (ii) and (iii) and 17 above, the Scientific and Technical Subcommittee at its forty-first session should reconvene the Working Group of the Whole;

20. *Also agrees* that, in the context of paragraph 16 (*b*) (i) above, the Scientific and Technical Subcommittee, at its forty-first session, could establish a working group to consider comments from member States of the Committee on the proposals on debris mitigation presented by the Inter-Agency Space Debris Coordination Committee to the Subcommittee at its fortieth session;[18]

21. *Further agrees* that, in the context of paragraph 16 (*b*) (ii) above, the Scientific and Technical Subcommittee at its forty-first session should reconvene its Working Group on the Use of Nuclear Power Sources in Outer Space;

22. *Endorses* the United Nations Programme on Space Applications for 2004, as proposed to the Committee by the Expert on Space Applications;[19]

23. *Notes with satisfaction* that, in accordance with paragraph 30 of General Assembly resolution 50/27 of 6 December 1995, the African regional centres for space science and technology education, in the French language and in the

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[15] Ibid., *Fifty-eighth Session, Supplement No. 20* (A/58/20), para. 241.

[16] Ibid., chap. II.C.

[17] See A/AC.105/761, para. 130, for item (i); A/AC.105/804, annex III, for item (ii); and *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 20* (A/58/20), para. 138, for item (iii).

[18] See *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 20* (A/58/20), para. 126.

[19] See A/AC.105/790 and Corr.1, sects. II–IV.

English language, located in Morocco and Nigeria, respectively, and the Centre for Space Science and Technology Education in Asia and the Pacific continued their education programmes in 2003, that the Regional Centre for Space Science and Technology Education for Latin America and the Caribbean became affiliated to the United Nations and began its education programme, and that the United Nations Programme on Space Applications is providing technical support to the Government of Jordan for the establishment of the regional centre for space science and technology education for Western Asia;

24. *Also notes with satisfaction* the success of the Fourth Space Conference of the Americas, held at Cartagena de Indias, Colombia, from 14 to 17 May 2002, which adopted the Declaration of Cartagena de Indias and the Plan of Action,[20] and notes the desire of Member States in the Latin American and Caribbean region to institutionalize the Space Conference of the Americas;

25. *Welcomes* the memorandum of understanding between the Office for Outer Space Affairs of the Secretariat and the Pro Tempore Secretariat of the Fourth Space Conference of the Americas, under which the parties demonstrated their intention to collaborate in promoting and implementing joint activities, and invites the Pro Tempore Secretariat to inform the Committee of the work accomplished;

26. *Urges* all Governments, entities of the United Nations system as well as intergovernmental and non-governmental entities conducting space-related activities to take the necessary action for the effective implementation of the recommendations of UNISPACE III, in particular its resolution entitled "The Space Millennium: Vienna Declaration on Space and Human Development",[4] bearing in mind the need to promote the use of space technology towards implementing the United Nations Millennium Declaration;[5]

27. *Agrees* that, in accordance with paragraph 30 of General Assembly resolution 55/122 of 8 December 2000, the Committee should include in the agenda of its forty-seventh session an item on the implementation of the recommendations of UNISPACE III;

28. *Notes with satisfaction* the work conducted by the twelve action teams that the Committee had established at its forty-fourth and forty-sixth sessions under the voluntary leadership of Member States to implement the recommendations of UNISPACE III,[21] and urges Member States to provide full support to the action teams in conducting their work;

29. *Also notes with satisfaction* that the Committee made further progress in the preparation of its report under the agenda item on the implementation of the recommendations of UNISPACE III for submission to the General Assembly, in order for the Assembly to review and appraise, at its fifty-ninth session, in 2004, in accordance with paragraph 16 of its resolution 54/68, the implementation of the outcome of UNISPACE III and to consider further actions and initiatives, and agrees that, in this context, the Working Group established by the Committee to prepare the above-mentioned report should be reconvened at the forty-seventh session of the Committee to complete its work;

30. *Notes* that in order to advance the preparation of the report of the Committee, mentioned in paragraph 29 above, the Working Group of the Committee could hold informal consultations during the forty-first session of the Scientific and Technical Subcommittee as well as the forty-third session of the Legal Subcommittee;

31. *Urges* all Member States to contribute to the Trust Fund for the United Nations Programme on Space Applications to support activities to implement the recommendations of UNISPACE III, in particular the priority project proposals as recommended by the Committee at its forty-third session;[22]

32. *Recommends* that more attention be paid and political support be provided to all matters relating to the protection and the preservation of the outer space environment, especially those potentially affecting the Earth's environment;

33. *Considers* that it is essential that Member States pay more attention to the problem of collisions of space objects, including those with nuclear power sources, with space debris, and other aspects of space debris, calls for the continuation of national research on this question, for the development of improved technology for the monitoring of space debris and for the compilation and dissemination of data on space debris, also considers that, to the extent possible, information thereon should be provided to the Scientific and Technical Subcommittee, and agrees that international cooperation is needed to expand appropriate and affordable strategies to minimize the impact of space debris on future space missions;

34. *Urges* all States, in particular those with major space capabilities, to contribute actively to the goal of preventing an arms race in outer space as an essential condition for the promotion of international cooperation in the exploration and use of outer space for peaceful purposes;

35. *Emphasizes* the need to increase the benefits of space technology and its applications and to contribute to an orderly growth of space activities favourable to sustained economic growth and sustainable development in all countries,

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[20] *Official Records of the General Assembly, Fifty-seventh Session, Supplement No. 20* (A/57/20), annex II.

[21] Ibid., *Fifty-sixth Session, Supplement No. 20* and corrigendum (A/56/20 and Corr.1), paras. 50 and 55; ibid., *Fifty-seventh Session, Supplement No. 20* (A/57/20), paras. 42 and 43; and ibid., *Fifty-eighth Session, Supplement No. 20* (A/58/20), para. 62.

[22] Ibid., *Fifty-fifth Session, Supplement No. 20* (A/55/20), para. 87.

including mitigation of the consequences of disasters, in particular in the developing countries;

36. *Notes* that space science and technology and their applications could make important contributions to economic, social and cultural development and welfare as indicated in the resolution entitled "The Space Millennium: Vienna Declaration on Space and Human Development",[4] and notes also that the International Fair on Air and Space to be held at Santiago de Chile early in 2004 will address in an international conference the question "Space and water: towards sustainable development and human security";

37. *Agrees* that the benefits of space technology and its applications should be prominently brought to the attention of conferences organized within the United Nations system to address global issues relating to social, economic and cultural development and that the use of space technology should be promoted towards achieving the objectives of those conferences and implementing the United Nations Millennium Declaration;

38. *Notes with satisfaction* the increased efforts of the Committee and its Scientific and Technical Subcommittee as well as the Office for Outer Space Affairs and the Inter-Agency Meeting on Outer Space Activities to promote the use of space science and technology and their applications in carrying out actions recommended in the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation");[23]

39. *Urges* entities of the United Nations system, particularly those participating in the Inter-Agency Meeting on Outer Space Activities, to examine, in cooperation with the Committee, how space science and technology and their applications could contribute to implementing the United Nations Millennium Declaration, particularly in the areas relating to, inter alia, food security and increasing opportunities for education;

40. *Invites* the Inter-Agency Meeting on Outer Space Activities to continue to contribute to the work of the Committee and to report to the Committee and its Scientific and Technical Subcommittee on the work conducted at its annual session;

41. *Requests* the Committee to continue to consider, as a matter of priority, ways and means of maintaining outer space for peaceful purposes and to report thereon to the General Assembly at its fifty-ninth session, and agrees that during its consideration of the matter, the Committee could consider ways to promote regional and interregional cooperation based on experiences stemming from the Space Conference of the Americas and the role space technology could play in the implementation of recommendations emerging from the World Summit on Sustainable Development;

42. *Agrees* that the Committee should continue to consider a report on the activities of the International Satellite System for Search and Rescue as a part of its consideration of the United Nations Programme on Space Applications under the agenda item entitled "Report of the Scientific and Technical Subcommittee", and invites Member States to report on their activities regarding the System;

43. *Notes* that in connection with the consideration of the implementation of an integrated, space-based global natural disaster management system, under the agenda item entitled "Report of the Scientific and Technical Subcommittee", during the forty-seventh session of the Committee, a one-day workshop for industry would be organized with the participation of Member States and communications satellite operators to discuss how satellite-based communications could be used during natural disasters;

44. *Requests* the Committee to continue to consider, at its forty-seventh session, its agenda item entitled "Spin-off benefits of space technology: review of current status";

45. *Also requests* the Committee to continue to consider, at its forty-seventh session, its agenda item entitled "Space and society", and agrees that a special theme for the focus of discussions for the period 2004–2006 should be "Space and education", in accordance with the work plan adopted by the Committee;[24]

46. *Agrees* that a new item entitled "Space and water" should be included in the agenda of the Committee at its forty-seventh session, and urges entities of the United Nations system and invites other intergovernmental entities dealing with issues relating to the use and management of water resources as well as space agencies to contribute to the work of the Committee in this field;

47. *Welcomes* the continued interest of the Libyan Arab Jamahiriya in becoming a member of the Committee, and, to this end, requests that constructive consultations be conducted as soon as possible within the Committee as well as among regional groups, taking into account the principle of equitable geographical distribution, with a view to reaching a positive and final decision on the membership of the Libyan Arab Jamahiriya at the fifty-ninth session of the General Assembly;

48. *Requests* the Committee to consider ways to improve participation by member States and entities with observer status in its work, with a view to agreeing on specific recommendations in that regard at its forty-eighth session;

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[23] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 1, annex.

[24] *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 20* (A/58/20), para. 239.

49. *Endorses* the decision of the Committee to grant permanent observer status to the Regional Centre for Remote Sensing of the North African States and the International Institute for Applied Systems Analysis;

50. *Invites* the Committee to expand the scope of international cooperation relating to the social, economic, ethical and human dimension in space science and technology applications;

51. *Requests* entities of the United Nations system and other international organizations to continue and, where appropriate, to enhance their cooperation with the Committee and to provide it with reports on the issues dealt with in the work of the Committee and its subsidiary bodies;

52. *Requests* the Committee to consider and identify new mechanisms of international cooperation in the peaceful uses of outer space to strengthen multilateralism, in accordance with the preamble to the present resolution, and to submit a report to the General Assembly at its fifty-ninth session, including its views on which subjects should be studied in the future.

RESOLUTION 58/90

Adopted at the 72nd plenary meeting, on 9 December 2003, without a vote, on the recommendation of the Committee (A/58/471, para. 14)[25]

58/90. Review of the implementation of the recommendations of the Third United Nations Conference on the Exploration and Peaceful Uses of Outer Space

The General Assembly,

Recalling its resolutions 54/68 of 6 December 1999, 55/122 of 8 December 2000, 56/51 of 10 December 2001 and 57/116 of 11 December 2002, concerning the review and appraisal by the General Assembly at its fifty-ninth session of the implementation of the recommendations of the Third United Nations Conference on the Exploration and Peaceful Uses of Outer Space (UNISPACE III), held at Vienna from 19 to 30 July 1999,[26]

Taking note with satisfaction of the work of the Committee on the Peaceful Uses of Outer Space and its subsidiary bodies, in particular the action teams established by the Committee at its forty-fourth and forty-fifth sessions under the voluntary leadership of Member States, to implement the recommendations of UNISPACE III,

Noting the progress made by the Committee through its Working Group in preparing a report for submission to the General Assembly for the review, in accordance with paragraph 31 of Assembly resolution 55/122,

1. *Decides* to conduct the review of the progress made in the implementation of the recommendations of the Third United Nations Conference on the Exploration and Peaceful Uses of Outer Space (UNISPACE III) in plenary meeting(s) at its fifty-ninth session, under a separate agenda item entitled "Review of the implementation of the recommendations of the Third United Nations Conference on the Exploration and Peaceful Uses of Outer Space";

2. *Requests* the Committee on the Peaceful Uses of Outer Space to submit its report on the review of the implementation of the recommendations of UNISPACE III to the General Assembly at its fifty-ninth session in plenary meeting(s);

3. *Decides* that the plenary meeting(s) for the review shall be held in October 2004;

4. *Invites* Member States to participate in the plenary meeting(s) at the ministerial level or at the highest level possible.

RESOLUTION 58/91

Adopted at the 72nd plenary meeting, on 9 December 2003, on the recommendation of the Committee (A/58/472, para. 32),[27] by a recorded vote of 167 to 1, with 6 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab

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[25] The draft resolution recommended in the report was sponsored in the Committee by Chile (on behalf of the Working Group of the Whole on International Cooperation in the Peaceful Uses of Outer Space).

[26] See *Report of the Third United Nations Conference on the Exploration and Peaceful Uses of Outer Space, Vienna, 19–30 July 1999* (United Nations publication, Sales No. E.00.I.3), chap. I, resolution 1.

[27] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Austria, Bahrain, Bangladesh, Belgium, Bulgaria, Comoros, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Egypt, Estonia, Finland, France, Germany, Greece, Guinea, Hungary, Indonesia, Iceland, Ireland, Italy, Jordan, Kuwait, Latvia, Libyan Arab Jamahiriya, Liochtenstein, Lithuania, Luxembourg, Malaysia, Mali, Malta, Morocco, Netherlands, Norway, Oman, Poland, Portugal, Qatar, Romania, Saudi Arabia, Senegal, Slovakia, Slovenia, Spain, Sudan, Sweden, Switzerland, Tunisia, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, Yemen and Palestine.

Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: Israel

Abstaining: Cameroon, Honduras, Marshall Islands, Micronesia (Federated States of), Palau, Papua New Guinea, Tuvalu, United States of America

58/91. Assistance to Palestine refugees

The General Assembly,

Recalling its resolution 194 (III) of 11 December 1948 and all its subsequent resolutions on the question, including resolution 57/117 of 11 December 2002,

Recalling also its resolution 302 (IV) of 8 December 1949, by which, inter alia, it established the United Nations Relief and Works Agency for Palestine Refugees in the Near East,

Recalling further relevant Security Council resolutions,

Aware of the fact that the Palestine refugees have, for more than five decades, lost their homes, lands and means of livelihood,

Affirming the imperative of resolving the problem of the Palestine refugees for the achievement of justice and for the achievement of lasting peace in the region,

Acknowledging the essential role that the United Nations Relief and Works Agency for Palestine Refugees in the Near East has played for more than fifty-three years since its establishment in ameliorating the plight of the Palestine refugees in the fields of education, health and relief and social services,

Taking note of the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East covering the period from 1 July 2002 to 30 June 2003,[28]

Aware of the continuing needs of Palestine refugees throughout all the fields of operation, namely Jordan, Lebanon, the Syrian Arab Republic, and the Occupied Palestinian Territory,

Expressing grave concern at the especially difficult situation of the Palestine refugees under occupation, including with regard to their safety, well-being and living conditions, and the continuous deterioration of those conditions during the recent period,

Noting the signing of the Declaration of Principles on Interim Self-Government Arrangements on 13 September 1993 by the Government of Israel and the Palestine Liberation Organization[29] and the subsequent implementation agreements,

Aware that the Multilateral Working Group on Refugees of the Middle East peace process has an important role to play in the peace process,

1. *Notes with regret* that repatriation or compensation of the refugees, as provided for in paragraph 11 of its resolution 194 (III), has not yet been effected and that, therefore, the situation of the Palestine refugees continues to be a matter of concern;

2. *Also notes with regret* that the United Nations Conciliation Commission for Palestine has been unable to find a means of achieving progress in the implementation of paragraph 11 of General Assembly resolution 194 (III), and requests the Commission to exert continued efforts towards the implementation of that paragraph and to report to the Assembly as appropriate, but no later than 1 September 2004;

3. *Affirms* the necessity for the continuation of the work of the United Nations Relief and Works Agency for Palestine Refugees in the Near East and the importance of its operation and services for the well-being of the Palestine refugees and for the stability of the region, pending the resolution of the question of the Palestine refugees;

4. *Calls upon* all donors to continue to make the most generous efforts possible to meet the anticipated needs of the Agency, including those mentioned in recent emergency appeals.

RESOLUTION 58/92

Adopted at the 72nd plenary meeting, on 9 December 2003, on the recommendation of the Committee (A/58/472, para. 32),[30] by a recorded vote of 168 to 5, with 3 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina

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[28] *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 13* and corrigendum and addendum (A/58/13 and Corr.1 and Add.1).

[29] A/48/486-S/26560, annex.

[30] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Bahrain, Bangladesh, Brunei Darussalam, Comoros, Djibouti, Egypt, Guinea, Indonesia, Jordan, Kuwait, Libyan Arab Jamahiriya, Malaysia, Mali, Morocco, Oman, Qatar, Saudi Arabia, Senegal, Sudan, Tunisia, United Arab Emirates, Yemen and Palestine.

Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: Israel, Marshall Islands, Micronesia (Federated States of), Palau, United States of America

Abstaining: Honduras, Papua New Guinea, Rwanda

58/92. Persons displaced as a result of the June 1967 and subsequent hostilities

The General Assembly,

Recalling its resolutions 2252 (ES-V) of 4 July 1967, 2341 B (XXII) of 19 December 1967 and all subsequent related resolutions,

Recalling also Security Council resolutions 237 (1967) of 14 June 1967 and 259 (1968) of 27 September 1968,

Taking note of the report of the Secretary-General submitted in pursuance of its resolution 57/119 of 11 December 2002,[31]

Taking note also of the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East covering the period from 1 July 2002 to 30 June 2003,[32]

Concerned about the continuing human suffering resulting from the June 1967 and subsequent hostilities,

Taking note of the relevant provisions of the Declaration of Principles on Interim Self-Government Arrangements of 1993[33] with regard to the modalities for the admission of persons displaced in 1967, and concerned that the process agreed upon has not yet been effected,

1. *Reaffirms* the right of all persons displaced as a result of the June 1967 and subsequent hostilities to return to their homes or former places of residence in the territories occupied by Israel since 1967;

2. *Expresses deep concern* that the mechanism agreed upon by the parties in article XII of the Declaration of Principles on Interim Self-Government Arrangements of 1993[33] on the return of displaced persons has not been effected, and stresses the necessity for an accelerated return of displaced persons;

3. *Endorses*, in the meanwhile, the efforts of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East to continue to provide humanitarian assistance, as far as practicable, on an emergency basis and as a temporary measure, to persons in the area who are currently displaced and in serious need of continuing assistance as a result of the June 1967 and subsequent hostilities;

4. *Strongly appeals* to all Governments and to organizations and individuals to contribute generously to the Agency and to the other intergovernmental and non-governmental organizations concerned for the above-mentioned purposes;

5. *Requests* the Secretary-General, after consulting with the Commissioner-General, to report to the General Assembly before its fifty-ninth session on the progress made with regard to the implementation of the present resolution.

RESOLUTION 58/93

Adopted at the 72nd plenary meeting, on 9 December 2003, on the recommendation of the Committee (A/58/472, para. 32),[34] by a recorded vote of 162 to 5, with 8 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Canada, Cape Verde, Chile, China, Colombia, Comoros, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho,

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[31] A/58/119.

[32] *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 13* and corrigendum and addendum (A/58/13 and Corr.1 and Add.1).

[33] A/48/486-S/26560, annex.

[34] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Bahrain, Bangladesh, Brunei Darussalam, Comoros, Djibouti, Egypt, Guinea, Indonesia, Jordan, Kuwait, Libyan Arab Jamahiriya, Malaysia, Mali, Mauritania, Morocco, Oman, Qatar, Saudi Arabia, Senegal, Sudan, Tunisia, United Arab Emirates, Yemen and Palestine.

Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: Israel, Marshall Islands, Micronesia (Federated States of), Palau, United States of America

Abstaining: Burundi, Cameroon, Costa Rica, El Salvador, Honduras, Nicaragua, Papua New Guinea, Rwanda

58/93. Operations of the United Nations Relief and Works Agency for Palestine Refugees in the Near East

The General Assembly,

Recalling its resolutions 194 (III) of 11 December 1948, 212 (III) of 19 November 1948, 302 (IV) of 8 December 1949 and all subsequent related resolutions, including resolution 57/121 of 11 December 2002,

Recalling also the relevant Security Council resolutions,

Having considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East covering the period from 1 July 2002 to 30 June 2003,[35]

Taking note of the letter dated 25 September 2003 from the Chairperson of the Advisory Commission of the United Nations Relief and Works Agency for Palestine Refugees in the Near East addressed to the Commissioner-General,[36]

Deeply concerned about the continuing critical financial situation of the Agency and its effect on the continuing provision of necessary Agency services to the Palestine refugees, including its emergency-related programmes and its development programmes,

Recalling Articles 100, 104 and 105 of the Charter of the United Nations and the Convention on the Privileges and Immunities of the United Nations,[37]

Affirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[38] to the Palestinian territory occupied since 1967, including East Jerusalem,

Aware of the continuing needs of Palestine refugees throughout the Occupied Palestinian Territory and in the other fields of operation, namely, in Jordan, Lebanon and the Syrian Arab Republic,

Also aware of the valuable work done by the refugee affairs officers of the Agency in providing protection to the Palestinian people, in particular Palestine refugees,

Gravely concerned about the increased suffering of the Palestine refugees, including the loss of life, injury and destruction and damage to their shelters and properties, during the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem,

Expressing grave concern about the continuing impact of the events that occurred in the Jenin refugee camp in April 2002, including the loss of life, injury, destruction and displacement inflicted on many of its civilian inhabitants,

Aware of the extraordinary efforts being undertaken by the Agency for the repair and rebuilding of thousands of destroyed and damaged refugee shelters,

Gravely concerned about the safety of the Agency's staff and about the damage caused to facilities of the Agency as a result of Israeli military operations during the reporting period,

Deploring the killing of six Agency staff members by the Israeli occupying forces during the reporting period,

Expressing deep concern about the continuing policies of closure and severe restrictions, including the curfews, that have been imposed on the movement of persons and goods throughout the Occupied Palestinian Territory, including East Jerusalem, and which have had a grave impact on the socio-economic situation of the Palestine refugees and have greatly contributed to the dire humanitarian crisis facing the Palestinian people,

Deeply concerned about the continuing restrictions on the freedom of movement of the Agency staff, vehicles and goods, including the harassment of personnel, which adversely affect the ability of the Agency to provide its services, including its education, health and relief and social services,

Recalling the signing, on 13 September 1993, of the Declaration of Principles on Interim Self-Government Arrangements by the Government of Israel and the Palestine Liberation Organization[39] and the subsequent implementation agreements,

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[35] *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 13* and corrigendum and addendum (A/58/13 and Corr.1 and Add.1).

[36] Ibid., *Supplement No. 13* and corrigendum (A/58/13 and Corr.1), p. viii.

[37] Resolution 22 A (I).

[38] United Nations, *Treaty Series*, vol. 75, No. 973.

[39] A/48/486-S/26560, annex.

Aware of the agreement between the Agency and the Government of Israel,

Aware also of the establishment of a working relationship between the Advisory Commission of the Agency and the Palestine Liberation Organization in accordance with General Assembly decision 48/417 of 10 December 1993,

Taking note of the agreement reached on 24 June 1994, embodied in an exchange of letters between the Agency and the Palestine Liberation Organization,[40]

1. *Expresses its appreciation* to the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, as well as to all of the staff of the Agency, for their tireless efforts and valuable work, particularly in the light of the increasingly difficult conditions throughout the past year;

2. *Also expresses its appreciation* to the Advisory Commission of the Agency, and requests it to continue its efforts and to keep the General Assembly informed of its activities, including the full implementation of decision 48/417;

3. *Takes note with appreciation* of the report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East,[41] for its efforts to assist in ensuring the financial security of the Agency, and requests the Secretary-General to provide the necessary services and assistance to the Working Group for the conduct of its work;

4. *Commends* the continuing efforts of the Commissioner-General to increase the budgetary transparency and efficiency of the Agency, as reflected in the Agency's programme budget for the biennium 2004–2005;[42]

5. *Acknowledges* the support of the host Governments for the Agency in the discharge of its duties;

6. *Takes note* of the functioning of the headquarters of the Agency in Gaza City on the basis of the Headquarters Agreement between the Agency and the Palestinian Authority;

7. *Calls upon* Israel, the occupying Power, to comply fully with the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;[38]

8. *Also calls upon* Israel to abide by Articles 100, 104 and 105 of the Charter of the United Nations and the Convention on the Privileges and Immunities of the United Nations[37] with regard to the safety of the personnel of the Agency, the protection of its institutions and the safeguarding of the security of its facilities in the Occupied Palestinian Territory, including East Jerusalem;

9. *Urges* the Government of Israel to compensate the Agency for damage to its property and facilities resulting from actions by the Israeli side, particularly during the reporting period;

10. *Calls upon* Israel particularly to cease obstructing the movement of the personnel, vehicles and supplies of the Agency and to cease the levying of extra fees and charges, which have a detrimental effect on the Agency's operations;

11. *Requests* the Commissioner-General to proceed with the issuance of identification cards for Palestine refugees and their descendants in the Occupied Palestinian Territory;

12. *Affirms* that the functioning of the Agency remains essential in all fields of operation;

13. *Notes* the success of the Agency's microfinance and microenterprise programme, and calls upon the Agency, in close cooperation with the relevant agencies, to continue to contribute towards the development of the economic and social stability of the Palestine refugees;

14. *Reiterates its request* to the Commissioner-General to proceed with the modernization of the archives of the Agency through the Palestine Refugee Records Project, and to indicate progress in his report to the General Assembly at its fifty-ninth session;

15. *Reiterates its previous appeals* to all States, specialized agencies and non-governmental organizations to continue and to augment the special allocations for grants and scholarships for higher education to Palestine refugees in addition to their contributions to the regular budget of the Agency and to contribute towards the establishment of vocational training centres for Palestine refugees, and requests the Agency to act as the recipient and trustee for the special allocations for grants and scholarships;

16. *Urges* all States, specialized agencies and non-governmental organizations to continue and to increase their contributions to the Agency so as to ease the ongoing financial constraints, exacerbated by the current humanitarian situation on the ground, and to support the Agency's valuable work in assistance to the Palestine refugees.

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[40] *Official Records of the General Assembly, Forty-ninth Session, Supplement No. 13* (A/49/13), annex I.

[41] A/58/450.

[42] *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 13*, addendum (A/58/13/Add.1).

RESOLUTION 58/94

Adopted at the 72nd plenary meeting, on 9 December 2003, on the recommendation of the Committee (A/58/472, para. 32),[43] by a recorded vote of 164 to 5, with 4 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Canada, Cape Verde, Chile, China, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: Israel, Marshall Islands, Micronesia (Federated States of), Palau, United States of America

Abstaining: Cameroon, Honduras, Papua New Guinea, Rwanda

58/94. Palestine refugees' properties and their revenues

The General Assembly,

Recalling its resolutions 194 (III) of 11 December 1948, 36/146 C of 16 December 1981 and all its subsequent resolutions on the question,

Taking note of the report of the Secretary-General submitted in pursuance of its resolution 57/122 of 11 December 2002,[44]

Taking note also of the report of the United Nations Conciliation Commission for Palestine for the period from 1 September 2002 to 31 August 2003,[45]

Recalling that the Universal Declaration of Human Rights[46] and the principles of international law uphold the principle that no one shall be arbitrarily deprived of his or her property,

Recalling in particular its resolution 394 (V) of 14 December 1950, in which it directed the Conciliation Commission, in consultation with the parties concerned, to prescribe measures for the protection of the rights, property and interests of the Palestine refugees,

Noting the completion of the programme of identification and evaluation of Arab property, as announced by the Conciliation Commission in its twenty-second progress report,[47] and the fact that the Land Office had a schedule of Arab owners and file of documents defining the location, area and other particulars of Arab property,

Expressing its appreciation for the work done to preserve and modernize the existing records, including the land records, of the Conciliation Commission and the importance of such records for a just resolution of the plight of the Palestine refugees in conformity with General Assembly resolution 194 (III),

Recalling that, in the framework of the Middle East peace process, the Palestine Liberation Organization and the Government of Israel agreed, in the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993,[48] to commence negotiations on permanent status issues, including the important issue of the refugees,

1. *Reaffirms* that the Palestine refugees are entitled to their property and to the income derived therefrom, in conformity with the principles of equity and justice;

2. *Requests* the Secretary-General to take all appropriate steps, in consultation with the United Nations Conciliation Commission for Palestine, for the protection of Arab property, assets and property rights in Israel;

3. *Calls once again upon* Israel to render all facilities and assistance to the Secretary-General in the implementation of the present resolution;

4. *Calls upon* all the parties concerned to provide the Secretary-General with any pertinent information in their possession concerning Arab property, assets and property rights

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[43] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Austria, Bahrain, Bangladesh, Belgium, Brunei Darussalam, Bulgaria, Comoros, Cyprus, Czech Republic, Denmark, Djibouti, Egypt, Estonia, Finland, France, Germany, Greece, Guinea, Hungary, Indonesia, Ireland, Italy, Jordan, Kuwait, Latvia, Libyan Arab Jamahiriya, Lithuania, Luxembourg, Malaysia, Mali, Malta, Morocco, Netherlands, Oman, Poland, Portugal, Qatar, Romania, Saudi Arabia, Senegal, Slovakia, Slovenia, Spain, Sudan, Sweden, Tunisia, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, Yemen and Palestine.

[44] A/58/206.

[45] A/58/256, annex.

[46] Resolution 217 A (III).

[47] *Official Records of the General Assembly, Nineteenth Session, Annexes*, Annex No. 11, document A/5700.

[48] A/48/486-S/26560, annex.

in Israel that would assist him in the implementation of the present resolution;

5. *Urges* the Palestinian and Israeli sides, as agreed between them, to deal with the important issue of Palestine refugees' properties and their revenues in the framework of the final status negotiations of the Middle East peace process;

6. *Requests* the Secretary-General to report to the General Assembly at its fifty-ninth session on the implementation of the present resolution.

RESOLUTION 58/95

Adopted at the 72nd plenary meeting, on 9 December 2003, on the recommendation of the Committee (A/58/472, para. 32),[49] by a recorded vote of 133 to none, with 35 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Bahamas, Bangladesh, Barbados, Belarus, Belgium, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Italy, Jamaica, Japan, Kazakhstan, Lao People's Democratic Republic, Latvia, Lesotho, Liechtenstein, Lithuania, Luxembourg, Madagascar, Maldives, Mali, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Vincent and the Grenadines, Samoa, San Marino, Senegal, Serbia and Montenegro, Singapore, Slovakia, Slovenia, Solomon Islands, Spain, Sri Lanka, Swaziland, Sweden, Switzerland, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Tonga, Trinidad and Tobago, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Zambia, Zimbabwe

Against: None

Abstaining: Bahrain, Belize, Brunei Darussalam, Burkina Faso, Burundi, China, Comoros, Cuba, India, Jordan, Kenya, Kuwait, Lebanon, Libyan Arab Jamahiriya, Malaysia, Mauritania, Mauritius, Morocco, Myanmar, Nauru, Oman, Pakistan, Qatar, Saint Lucia, Saudi Arabia, South Africa, Sudan, Suriname, Syrian Arab Republic, Tunisia, Turkey, Tuvalu, United Arab Emirates, United Republic of Tanzania, Yemen

58/95. Assistance to Palestine refugees and support for the United Nations Relief and Works Agency for Palestine Refugees in the Near East

The General Assembly,

Recalling its resolutions 212 (III) of 19 November 1948, on assistance to Palestine refugees, and 302 (IV) of 8 December 1949, by which, inter alia, it established the United Nations Relief and Works Agency for Palestine Refugees in the Near East,

Recalling also all its subsequent resolutions on the question, including resolution 56/52 of 10 December 2001,

Recalling further relevant Security Council resolutions,

Acknowledging the essential role that the Agency has played for more than fifty years since its establishment in ameliorating the plight of the Palestine refugees in the fields of education, health and relief and social services,

Aware of the continuing needs of Palestine refugees throughout all the fields of operation, namely the West Bank and the Gaza Strip, Jordan, Lebanon and the Syrian Arab Republic,

Gravely concerned about the increased suffering of the Palestine refugees, including the loss of life, injury and destruction and damage to refugee shelters and properties, as well as the safety of the staff and the damage to the facilities of the Agency,

Regretting the death of six Agency staff members during the reporting period,

Deeply concerned about the continuing restrictions on the freedom of movement of the Agency's staff, vehicles and goods, which adversely affect the ability of the Agency to provide its services, including its educational, health and relief and social services,

Stressing the necessity for compliance with Articles 100, 104 and 105 of the Charter of the United Nations and the Convention on the Privileges and Immunities of the United Nations[50] with regard to the safety of the personnel of the Agency, the protection of its institutions and the safeguarding of the security of its facilities, including throughout the occupied territories,

Stressing also the need for respect of international humanitarian law,

Emphasizing the obligations of all parties in accordance with the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[51]

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[49] The draft resolution recommended in the report was sponsored in the Committee by: Albania, Australia, Austria, Belgium, Bulgaria, Cameroon, Canada, Croatia, Cyprus, Czech Republic, Denmark, Dominica, Estonia, Finland, France, Germany, Greece, Grenada, Honduras, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Netherlands, New Zealand, Norway, Palau, Poland, Portugal, Republic of Korea, Romania, Rwanda, Saint Kitts and Nevis, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, Uganda, United Kingdom of Great Britain and Northern Ireland and United States of America.

[50] Resolution 22 A (I).

[51] United Nations, *Treaty Series*, vol. 75, No. 973.

Having considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East covering the period from 1 July 2002 to 30 June 2003,[52] the report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East,[53] the letter dated 25 September 2003 from the Chairperson of the Advisory Commission of the United Nations Relief and Works Agency for Palestine Refugees in the Near East addressed to the Commissioner-General,[54] and the report of the United Nations Conciliation Commission for Palestine for the period from 1 September 2002 to 31 August 2003,[55]

Deeply concerned about the continuing financial situation of the Agency, which has affected and affects the continuing provision of necessary Agency services to Palestine refugees, including the emergency-related and humanitarian programmes,

1. *Affirms* the necessity for the continuation of the work of the United Nations Relief and Works Agency for Palestine Refugees in the Near East and the importance of its operation and services for the well-being of the Palestine refugees and for the stability of the region, pending the resolution of the question of the Palestine refugees;

2. *Calls upon* all States to make the most generous efforts possible to meet the anticipated needs of the Agency, including those mentioned in recent emergency appeals, and to support the Agency's valuable work in providing assistance to the Palestine refugees;

3. *Takes note with approval* of the report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East,[53] for its efforts to assist in ensuring the financial security of the Agency, and requests the Secretary-General to provide the necessary services and assistance to the Working Group for the conduct of its work;

4. *Endorses* the efforts of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East to continue to provide humanitarian assistance, as far as practicable, on an emergency basis and as a temporary measure, to persons in the area who are currently displaced and in serious need of continuing assistance as a result of the June 1967 and subsequent hostilities;

5. *Strongly appeals* to all Governments and to organizations and individuals to contribute generously to the Agency and to the other intergovernmental and non-governmental organizations concerned for the above-mentioned purposes;

6. *Reiterates its previous appeals* to all States, specialized agencies and non-governmental organizations to continue and to augment the special allocations for grants and scholarships to Palestine refugees, in addition to their contributions to the regular budget of the Agency;

7. *Appeals* to all States, specialized agencies and other international bodies to extend assistance for higher education to Palestine refugee students and to contribute towards the establishment of vocational training centres for Palestine refugees, and requests the Agency to act as the recipient and trustee for the special allocations for grants and scholarships;

8. *Expresses its appreciation* to the Commissioner-General of the Agency, as well as to all of the staff of the Agency, for their tireless efforts and valuable work, particularly in the light of the increasingly difficult conditions throughout the past year;

9. *Also expresses its appreciation* to the Advisory Commission of the Agency, and requests it to continue its efforts and to keep the General Assembly informed of its activities, including the full implementation of Assembly decision 48/417 of 10 December 1993;

10. *Commends* the efforts of the Commissioner-General to increase the budgetary transparency and efficiency of the Agency, as well as the support of the host Governments for the Agency in the discharge of its duties;

11. *Calls upon* all relevant parties to take effective measures to ensure the safety of the personnel of the Agency, the protection of its institutions and the safeguarding of the security of its facilities;

12. *Notes* the success of the Agency's microfinance and enterprise programmes, and calls upon the Agency, in close cooperation with the relevant agencies, to continue to contribute towards the development of the economic and social stability of the Palestine refugees.

RESOLUTION 58/96

Adopted at the 72nd plenary meeting, on 9 December 2003, on the recommendation of the Committee (A/58/473 and Corr.1, para. 25),[56] by a recorded vote of 87 to 7, with 78 abstentions, as follows:

In favour: Afghanistan, Algeria, Angola, Armenia, Azerbaijan, Bahrain, Bangladesh, Belarus, Belize, Benin, Bolivia, Botswana, Brazil, Brunei

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[52] *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 13* and corrigendum and addendum (A/58/13 and Corr.1 and Add.1).

[53] A/58/450.

[54] *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 13* and corrigendum (A/58/13 and Corr.1), p. viii.

[55] A/58/256, annex.

[56] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Bahrain, Bangladesh, Brunei Darussalam, Cuba, Djibouti, Egypt, Guinea, Indonesia, Jordan, Kuwait, Malaysia, Mali, Morocco, Oman, Qatar, Saudi Arabia, Senegal, Somalia, Sudan, Tunisia, United Arab Emirates, Yemen and Palestine.

Darussalam, Burkina Faso, Cambodia, Cape Verde, Chile, China, Colombia, Comoros, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Ecuador, Egypt, Gabon, Gambia, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Morocco, Mozambique, Myanmar, Namibia, Nepal, Niger, Nigeria, Oman, Pakistan, Panama, Paraguay, Philippines, Qatar, Saint Lucia, Saudi Arabia, Senegal, Singapore, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, United Arab Emirates, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: Australia, Israel, Marshall Islands, Micronesia (Federated States of), Nauru, Palau, United States of America

Abstaining: Albania, Andorra, Antigua and Barbuda, Argentina, Austria, Bahamas, Belgium, Bhutan, Bosnia and Herzegovina, Bulgaria, Burundi, Cameroon, Canada, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, El Salvador, Equatorial Guinea, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Italy, Jamaica, Japan, Kazakhstan, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Mexico, Monaco, Mongolia, Netherlands, New Zealand, Nicaragua, Norway, Papua New Guinea, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Vincent and the Grenadines, Samoa, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Tonga, Tuvalu, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay, Uzbekistan

58/96. Work of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations,

Guided also by international humanitarian law, in particular the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[57] as well as international standards of human rights, in particular the Universal Declaration of Human Rights[58] and the International Covenants on Human Rights,[59]

Recalling its relevant resolutions, including resolutions 2443 (XXIII) of 19 December 1968 and 57/124 of 11 December 2002, and the relevant resolutions of the Commission on Human Rights,

Recalling also relevant resolutions of the Security Council,

Convinced that occupation itself represents a gross and grave violation of human rights,

Gravely concerned about the continuation of the tragic events that have taken place since 28 September 2000, including the excessive use of force by the Israeli occupying forces against Palestinian civilians, resulting in thousands of deaths and injuries,

Having considered the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories[60] and the relevant reports of the Secretary-General,[61]

Recalling the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993[62] and the subsequent implementation agreements between the Palestinian and Israeli sides,

Expressing the hope that the Israeli occupation will be brought to an early end and that therefore the violation of the human rights of the Palestinian people will cease,

1. *Commends* the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories for its efforts in performing the tasks assigned to it by the General Assembly and for its impartiality;

2. *Reiterates its demand* that Israel, the occupying Power, cooperate with the Special Committee in implementing its mandate;

3. *Deplores* those policies and practices of Israel that violate the human rights of the Palestinian people and other Arabs of the occupied territories, as reflected in the report of the Special Committee covering the reporting period;

4. *Expresses grave concern* about the situation in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000, as a result of Israeli practices and measures, and especially condemns the excessive and indiscriminate use of force against the civilian population, including extrajudicial executions, which has resulted in more than 2,600 Palestinian deaths and tens of thousands of injuries;

5. *Requests* the Special Committee, pending complete termination of the Israeli occupation, to continue to investigate Israeli policies and practices in the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967, especially Israeli violations of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[57] and to consult, as appropriate, with the International Committee of the Red Cross

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[57] United Nations, *Treaty Series*, vol. 75, No. 973.

[58] Resolution 217 A (III).

[59] Resolution 2200 A (XXI), annex.

[60] See A/58/311.

[61] A/58/155, A/58/156, A/58/263, A/58/264 and A/58/310.

[62] A/48/486-S/26560, annex.

according to its regulations in order to ensure that the welfare and human rights of the peoples of the occupied territories are safeguarded and to report to the Secretary-General as soon as possible and whenever the need arises thereafter;

6. *Also requests* the Special Committee to submit regularly to the Secretary-General periodic reports on the current situation in the Occupied Palestinian Territory, including East Jerusalem;

7. *Further requests* the Special Committee to continue to investigate the treatment of prisoners and detainees in the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967;

8. *Requests* the Secretary-General:

(*a*) To provide the Special Committee with all necessary facilities, including those required for its visits to the occupied territories, so that it may investigate Israeli policies and practices referred to in the present resolution;

(*b*) To continue to make available such additional staff as may be necessary to assist the Special Committee in the performance of its tasks;

(*c*) To circulate regularly to Member States the periodic reports mentioned in paragraph 6 above;

(*d*) To ensure the widest circulation of the reports of the Special Committee and of information regarding its activities and findings, by all means available, through the Department of Public Information of the Secretariat and, where necessary, to reprint those reports of the Special Committee that are no longer available;

(*e*) To report to the General Assembly at its fifty-ninth session on the tasks entrusted to him in the present resolution;

9. *Decides* to include in the provisional agenda of its fifty-ninth session the item entitled "Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories".

RESOLUTION 58/97

Adopted at the 72nd plenary meeting, on 9 December 2003, on the recommendation of the Committee (A/58/473 and Corr.1, para. 25),[63] by a recorded vote of 164 to 6, with 4 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Chile, China, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: Israel, Marshall Islands, Micronesia (Federated States of), Nauru, Palau, United States of America

Abstaining: Cameroon, Honduras, Papua New Guinea, Rwanda

58/97. Applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the Occupied Palestinian Territory, including East Jerusalem, and the other occupied Arab territories

The General Assembly,

Recalling its relevant resolutions,

Bearing in mind the relevant resolutions of the Security Council,

Recalling the Regulations annexed to the Hague Convention IV of 1907,[64] the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[65] and relevant provisions of customary law, including those codified in Additional Protocol I[66] to the four Geneva Conventions,[67]

Having considered the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the

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[63] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Bahrain, Bangladesh, Brunei Darussalam, Cuba, Djibouti, Egypt, Guinea, Indonesia, Jordan, Kuwait, Malaysia, Mali, Morocco, Oman, Qatar, Saudi Arabia, Senegal, Somalia, Sudan, Tunisia, United Arab Emirates, Yemen and Palestine.

[64] See Carnegie Endowment for International Peace, *The Hague Conventions and Declarations of 1899 and 1907* (New York, Oxford University Press, 1915).

[65] United Nations, *Treaty Series*, vol. 75, No. 973.

[66] Ibid., vol. 1125, No. 17512.

[67] Ibid., vol. 75, Nos. 970-973.

Palestinian People and Other Arabs of the Occupied Territories[68] and the relevant reports of the Secretary-General,[69]

Considering that the promotion of respect for the obligations arising from the Charter of the United Nations and other instruments and rules of international law is among the basic purposes and principles of the United Nations,

Noting the convening of the meeting of experts of High Contracting Parties to the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, at Geneva from 27 to 29 October 1998, at the initiative of the Government of Switzerland in its capacity as the depositary of the Convention, concerning problems of application of the Convention in general and, in particular, in occupied territories,

Noting also the convening for the first time, on 15 July 1999, of the Conference of High Contracting Parties to the Fourth Geneva Convention, as recommended by the General Assembly in its resolution ES-10/6 of 9 February 1999, on measures to enforce the Convention in the Occupied Palestinian Territory, including East Jerusalem, and to ensure respect thereof in accordance with article 1 common to the four Geneva Conventions, and aware of the statement adopted by the Conference,

Welcoming the reconvening of the Conference of High Contracting Parties to the Fourth Geneva Convention on 5 December 2001 in Geneva and stressing the importance of the Declaration adopted by the Conference, and underlining the need for the parties to follow up the implementation of the Declaration,

Welcoming and encouraging the initiatives by States parties to the Convention, both individually and collectively, according to article 1 common to the four Geneva Conventions, aimed at ensuring respect for the Convention,

Stressing that Israel, the occupying Power, should comply strictly with its obligations under international law, including international humanitarian law,

1. *Reaffirms* that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[65] is applicable to the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967;

2. *Demands* that Israel accept the de jure applicability of the Convention in the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967, and that it comply scrupulously with the provisions of the Convention;

3. *Calls upon* all High Contracting Parties to the Convention, in accordance with article 1 common to the four Geneva Conventions,[67] to continue to exert all efforts to ensure respect for its provisions by Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967;

4. *Reiterates* the need for speedy implementation of the relevant recommendations contained in its resolutions of the tenth emergency special session with regard to ensuring respect by Israel, the occupying Power, for the provisions of the Convention;

5. *Requests* the Secretary-General to report to the General Assembly at its fifty-ninth session on the implementation of the present resolution.

RESOLUTION 58/98

Adopted at the 72nd plenary meeting, on 9 December 2003, on the recommendation of the Committee (A/58/473 and Corr.1, para. 25),[70] by a recorded vote of 156 to 6, with 13 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Chile, China, Colombia, Comoros, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: Israel, Marshall Islands, Micronesia (Federated States of), Nauru, Palau, United States of America

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[68] See A/58/311.

[69] A/58/155, A/58/156, A/58/263, A/58/264 and A/58/310.

[70] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Bahrain, Bangladesh, Brunei Darussalam, Cuba, Djibouti, Egypt, Guinea, Indonesia, Jordan, Kuwait, Malaysia, Mali, Morocco, Oman, Qatar, Saudi Arabia, Senegal, Somalia, Sudan, Tunisia, United Arab Emirates, Yemen and Palestine.

Abstaining: Australia, Cameroon, Costa Rica, Dominican Republic, El Salvador, Guatemala, Honduras, Nicaragua, Papua New Guinea, Rwanda, Solomon Islands, Tonga, Tuvalu

58/98. Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and the occupied Syrian Golan

The General Assembly,

Guided by the principles of the Charter of the United Nations, and affirming the inadmissibility of the acquisition of territory by force,

Recalling its relevant resolutions, including those adopted at its tenth emergency special session, as well as relevant Security Council resolutions, including resolutions 242 (1967) of 22 November 1967, 446 (1979) of 22 March 1979, 465 (1980) of 1 March 1980, 476 (1980) of 30 June 1980, 478 (1980) of 20 August 1980, 497 (1981) of 17 December 1981 and 904 (1994) of 18 March 1994,

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[71] to the Occupied Palestinian Territory, including East Jerusalem, and to the occupied Syrian Golan,

Taking note of the report of the Special Rapporteur of the Commission on Human Rights on the situation of human rights in the Palestinian territories occupied by Israel since 1967,[72]

Recalling the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993[73] and the subsequent implementation agreements between the Palestinian and Israeli sides,

Welcoming the presentation by the Quartet to the parties of the road map to a permanent two-State solution to the Israeli-Palestinian conflict,[74] and noting its call for a freeze on all settlement activity,

Aware that Israeli settlement activities have involved, inter alia, the transfer of nationals of the occupying Power into the occupied territories, the confiscation of land, the exploitation of natural resources and other illegal actions against the Palestinian civilian population,

Bearing in mind the detrimental impact of Israeli settlement policies, decisions and activities on efforts to achieve peace in the Middle East,

Expressing grave concern about the continuation by Israel of settlement activities in violation of international humanitarian law, relevant United Nations resolutions and the agreements reached between the parties, including the construction and expansion of the settlements in Jabal Abu-Ghneim and Ras Al-Amud in and around Occupied East Jerusalem,

Expressing grave concern also about the construction by Israel of a wall inside the Occupied Palestinian Territory, including in and around East Jerusalem, and expressing its concern in particular about the route of the wall in departure from the Armistice Line of 1949, which could prejudge future negotiations and make the two-State solution physically impossible to implement and would cause the Palestinian people further humanitarian hardship,

Reiterating its opposition to settlement activities in the Occupied Palestinian Territory, including East Jerusalem, and to any activities involving the confiscation of land, the disruption of the livelihood of protected persons and the de facto annexation of land,

Recalling the need to end all acts of violence, including acts of terror, provocation, incitement and destruction,

Gravely concerned about the dangerous situation resulting from actions taken by the illegal armed Israeli settlers in the occupied territory, as illustrated in the recent period,

Taking note of the relevant reports of the Secretary-General,[75]

1. *Reaffirms* that Israeli settlements in the Palestinian territory, including East Jerusalem, and in the occupied Syrian Golan are illegal and an obstacle to peace and economic and social development;

2. *Calls upon* Israel to accept the de jure applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[71] to the Occupied Palestinian Territory, including East Jerusalem, and to the occupied Syrian Golan and to abide scrupulously by the provisions of the Convention, in particular article 49;

3. *Reiterates its demand* for the complete cessation of all Israeli settlement activities in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan;

4. *Demands* that Israel stop and reverse the construction of the wall in the Occupied Palestinian Territory, including in and around East Jerusalem, which is in departure from the Armistice Line of 1949 and is in contradiction to relevant provisions of international law;

5. *Stresses* the need for full implementation of Security Council resolution 904 (1994), in which, among other things, the Council called upon Israel, the occupying Power, to

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[71] United Nations, *Treaty Series*, vol. 75, No. 973.

[72] E/CN.4/2004/6.

[73] A/48/486-S/26560, annex.

[74] S/2003/529, annex.

[75] A/58/155, A/58/156, A/58/263, A/58/264 and A/58/310.

continue to take and implement measures, including confiscation of arms, with the aim of preventing illegal acts of violence by Israeli settlers, and called for measures to be taken to guarantee the safety and protection of the Palestinian civilians in the occupied territory;

6. *Reiterates its calls* for the prevention of all acts of violence by Israeli settlers, particularly in the light of recent developments;

7. *Requests* the Secretary-General to report to the General Assembly at its fifty-ninth session on the implementation of the present resolution.

RESOLUTION 58/99

Adopted at the 72nd plenary meeting, on 9 December 2003, on the recommendation of the Committee (A/58/473 and Corr.1, para. 25),[76] by a recorded vote of 150 to 6, with 19 abstentions, as follows:

In favour: Afghanistan, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Chile, China, Colombia, Comoros, Côte d'Ivoire, Croatia, Cuba, Cyprus, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Ghana, Greece, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: Israel, Marshall Islands, Micronesia (Federated States of), Nauru, Palau, United States of America

Abstaining: Albania, Australia, Cameroon, Costa Rica, Czech Republic, Dominican Republic, El Salvador, Georgia, Germany, Guatemala, Honduras, Nicaragua, Papua New Guinea, Peru, Rwanda, Solomon Islands, Tonga, Tuvalu, United Kingdom of Great Britain and Northern Ireland

58/99. Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem

The General Assembly,

Recalling its relevant resolutions, including those adopted at its tenth emergency special session, and the resolutions of the Commission on Human Rights,

Bearing in mind the relevant resolutions of the Security Council,

Having considered the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories[77] and the reports of the Secretary-General,[78]

Taking note of the report of the Human Rights Inquiry Commission established by the Commission on Human Rights[79] and the report of the Special Rapporteur of the Commission on Human Rights on the situation of human rights in the Palestinian territories occupied by Israel since 1967,[80]

Aware of the responsibility of the international community to promote human rights and ensure respect for international law,

Reaffirming the principle of the inadmissibility of the acquisition of territory by force,

Reaffirming also the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[81] to the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

Reaffirming further the obligation of the States parties to the Fourth Geneva Convention[81] under articles 146, 147 and 148 with regard to penal sanctions, grave breaches and responsibilities of the High Contracting Parties,

Stressing the need for full compliance with the Israeli-Palestinian agreements reached within the context of the Middle East peace process and the implementation of the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict,[82]

Concerned about the continuing systematic violation of the human rights of the Palestinian people by Israel, the occupying Power, including the use of collective punishment, the reoccupation and closure of areas, the confiscation of land, the establishment and expansion of settlements, the construction of a wall inside the Occupied Palestinian Territory in departure from the Armistice Line of 1949, the destruction of property and all other actions by it designed to change the legal status, geographical nature and demographic composition of the Occupied Palestinian Territory, including East Jerusalem,

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[76] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Bahrain, Bangladesh, Brunei Darussalam, Cuba, Djibouti, Egypt, Guinea, Indonesia, Jordan, Kuwait, Malaysia, Mali, Morocco, Oman, Qatar, Saudi Arabia, Senegal, Somalia, Sudan, Tunisia, United Arab Emirates, Yemen and Palestine.

[77] See A/58/311.

[78] A/58/155, A/58/156, A/58/263, A/58/264 and A/58/310.

[79] E/CN.4/2001/121.

[80] E/CN.4/2004/6.

[81] United Nations, *Treaty Series*, vol. 75, No. 973.

[82] S/2003/529, annex.

Gravely concerned about the tragic events that have occurred since 28 September 2000 and that have led to thousands of deaths and injuries among Palestinian civilians,

Gravely concerned also about the use of suicide bombing attacks against Israeli civilians resulting in extensive loss of life and injury,

Expressing deep concern about the extensive destruction caused by the Israeli occupying forces, including the destruction of homes and properties, of religious, cultural and historical sites, of vital infrastructure and institutions of the Palestinian Authority, and of agricultural land throughout Palestinian cities, towns, villages and refugee camps,

Also expressing deep concern about the Israeli policy of closure and the severe restrictions, including curfews, imposed on the movement of persons and goods, including medical and humanitarian personnel and goods, throughout the Occupied Palestinian Territory, including East Jerusalem, and the consequent impact on the socio-economic situation of the Palestinian people, which has resulted in a dire humanitarian crisis,

Expressing concern that thousands of Palestinians continue to be held in Israeli prisons or detention centres, and also expressing concern about the ill-treatment and harassment of any Palestinian prisoners and all reports of torture,

Convinced of the need for an international presence to monitor the situation, to contribute to ending the violence and protecting the Palestinian civilians and to help the parties to implement agreements reached, and, in this regard, recalls the positive contribution of the Temporary International Presence in Hebron,

Stressing the necessity for the full implementation of all relevant Security Council resolutions,

1. *Determines* that all measures and actions taken by Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem, in violation of the relevant provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[81] and contrary to the relevant resolutions of the Security Council, are illegal and have no validity;

2. *Demands* that Israel, the occupying Power, comply fully with the provisions of the Fourth Geneva Convention of 1949[81] and cease immediately all measures and actions taken in violation of the Convention, including the extrajudicial executions;

3. *Condemns* all acts of violence, including all acts of terror, provocation, incitement and destruction, especially the excessive use of force by Israeli forces against Palestinian civilians, resulting in extensive loss of life, vast numbers of injuries and massive destruction;

4. *Also condemns* the events that have occurred in the Jenin refugee camp in April 2002, including the loss of life, injury, destruction and displacement inflicted on many of its civilian inhabitants;

5. *Demands* that Israel, the occupying Power, cease all practices and actions that violate the human rights of the Palestinian people;

6. *Stresses* the need to preserve the territorial integrity of all the Occupied Palestinian Territory and to guarantee the freedom of movement of persons and goods within the Palestinian territory, including the removal of restrictions on movement into and from East Jerusalem, and the freedom of movement to and from the outside world;

7. *Requests* the Secretary-General to report to the General Assembly at its fifty-ninth session on the implementation of the present resolution.

RESOLUTION 58/100

Adopted at the 72nd plenary meeting, on 9 December 2003, on the recommendation of the Committee (A/58/473 and Corr.1, para. 25),[83] by a recorded vote of 163 to 1, with 11 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Chile, China, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania,

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[83] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Bahrain, Bangladesh, Brunei Darussalam, Cuba, Djibouti, Egypt, Guinea, Indonesia, Jordan, Kuwait, Malaysia, Morocco, Oman, Qatar, Saudi Arabia, Senegal, Somalia, Sudan, Syrian Arab Republic, Tunisia, United Arab Emirates, Yemen and Palestine.

Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Singapore, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: Israel

Abstaining: Cameroon, Equatorial Guinea, Honduras, Marshall Islands, Micronesia (Federated States of), Nauru, Palau, Rwanda, Tonga, Tuvalu, United States of America

58/100. The occupied Syrian Golan

The General Assembly,

Having considered the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories,[84]

Deeply concerned that the Syrian Golan, occupied since 1967, has been under continued Israeli military occupation,

Recalling Security Council resolution 497 (1981) of 17 December 1981,

Recalling also its previous relevant resolutions, the last of which was resolution 57/128 of 11 December 2002,

Having considered the report of the Secretary-General submitted in pursuance of resolution 57/128,[85]

Recalling its previous relevant resolutions in which, inter alia, it called upon Israel to put an end to its occupation of the Arab territories,

Reaffirming once more the illegality of the decision of 14 December 1981 taken by Israel to impose its laws, jurisdiction and administration on the occupied Syrian Golan, which has resulted in the effective annexation of that territory,

Reaffirming that the acquisition of territory by force is inadmissible under international law, including the Charter of the United Nations,

Reaffirming also the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[86] to the occupied Syrian Golan,

Bearing in mind Security Council resolution 237 (1967) of 14 June 1967,

Welcoming the convening at Madrid of the Peace Conference on the Middle East on the basis of Security Council resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973 aimed at the realization of a just, comprehensive and lasting peace, and expressing grave concern about the stalling of the peace process on all tracks,

1. *Calls upon* Israel, the occupying Power, to comply with the relevant resolutions on the occupied Syrian Golan, in particular Security Council resolution 497 (1981), in which the Council, inter alia, decided that the Israeli decision to impose its laws, jurisdiction and administration on the occupied Syrian Golan was null and void and without international legal effect, and demanded that Israel, the occupying Power, rescind forthwith its decision;

2. *Also calls upon* Israel to desist from changing the physical character, demographic composition, institutional structure and legal status of the occupied Syrian Golan and in particular to desist from the establishment of settlements;

3. *Determines* that all legislative and administrative measures and actions taken or to be taken by Israel, the occupying Power, that purport to alter the character and legal status of the occupied Syrian Golan are null and void, constitute a flagrant violation of international law and of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[86] and have no legal effect;

4. *Calls upon* Israel to desist from imposing Israeli citizenship and Israeli identity cards on the Syrian citizens in the occupied Syrian Golan and from its repressive measures against the population of the occupied Syrian Golan;

5. *Deplores* the violations by Israel of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;

6. *Calls once again upon* Member States not to recognize any of the legislative or administrative measures and actions referred to above;

7. *Requests* the Secretary-General to report to the General Assembly at its fifty-ninth session on the implementation of the present resolution.

RESOLUTIONS 58/101 A and B

58/101. Questions relating to information

Resolution A

Adopted at the 72nd plenary meeting, on 9 December 2003, without a vote, on the recommendation of the Committee (A/58/475, para. 10)[87]

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[84] See A/58/311.

[85] A/58/264.

[86] United Nations, *Treaty Series*, vol. 75, No. 973.

[87] The draft resolution recommended in the report was submitted by the Committee on Information.

A

INFORMATION IN THE SERVICE OF HUMANITY

The General Assembly,

Taking note of the comprehensive and important report of the Committee on Information,[88]

Also taking note of the report of the Secretary-General on questions relating to information,[89]

Urges all countries, organizations of the United Nations system as a whole and all others concerned, reaffirming their commitment to the principles of the Charter of the United Nations and to the principles of freedom of the press and freedom of information, as well as to those of the independence, pluralism and diversity of the media, deeply concerned by the disparities existing between developed and developing countries and the consequences of every kind arising from those disparities that affect the capability of the public, private or other media and individuals in developing countries to disseminate information and communicate their views and their cultural and ethical values through endogenous cultural production, as well as to ensure the diversity of sources and their free access to information, and recognizing the call in this context for what in the United Nations and at various international forums has been termed "a new world information and communication order, seen as an evolving and continuous process":

(*a*) To cooperate and interact with a view to reducing existing disparities in information flows at all levels by increasing assistance for the development of communication infrastructures and capabilities in developing countries, with due regard for their needs and the priorities attached to such areas by those countries, and in order to enable them and the public, private or other media in developing countries to develop their own information and communication policies freely and independently and increase the participation of media and individuals in the communication process, and to ensure a free flow of information at all levels;

(*b*) To ensure for journalists the free and effective performance of their professional tasks and condemn resolutely all attacks against them;

(*c*) To provide support for the continuation and strengthening of practical training programmes for broadcasters and journalists from public, private and other media in developing countries;

(*d*) To enhance regional efforts and cooperation among developing countries, as well as cooperation between developed and developing countries, to strengthen communication capacities and to improve the media infrastructure and communication technology in the developing countries, especially in the areas of training and dissemination of information;

(*e*) To aim at, in addition to bilateral cooperation, providing all possible support and assistance to the developing countries and their media, public, private or other, with due regard to their interests and needs in the field of information and to action already adopted within the United Nations system, including:

(i) The development of the human and technical resources that are indispensable for the improvement of information and communication systems in developing countries and support for the continuation and strengthening of practical training programmes, such as those already operating under both public and private auspices throughout the developing world;

(ii) The creation of conditions that will enable developing countries and their media, public, private or other, to have, by using their national and regional resources, the communication technology suited to their national needs, as well as the necessary programme material, especially for radio and television broadcasting;

(iii) Assistance in establishing and promoting telecommunication links at the subregional, regional and interregional levels, especially among developing countries;

(iv) The facilitation, as appropriate, of access by the developing countries to advanced communication technology available on the open market;

(*f*) To provide full support for the International Programme for the Development of Communication[90] of the United Nations Educational, Scientific and Cultural Organization, which should support both public and private media.

Resolution B

Adopted at the 72nd plenary meeting, on 9 December 2003, without a vote, on the recommendation of the Committee (A/58/475, para. 10)[91] and as orally revised

B

UNITED NATIONS PUBLIC INFORMATION POLICIES AND ACTIVITIES

The General Assembly,

Reiterating its decision to consolidate the role of the Committee on Information as its main subsidiary body mandated to make recommendations to it relating to the work of the Department of Public Information of the Secretariat,

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[88] *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 21* (A/58/21).

[89] A/58/175.

[90] See United Nations Educational, Scientific and Cultural Organization, *Records of the General Conference, Twenty-first Session, Belgrade, 23 September to 28 October 1980*, vol. I: *Resolutions*, sect. III.4, resolution 4/21.

[91] The draft resolution recommended in the report was submitted by the Committee on Information.

Concurring with the view of the Secretary-General that the fundamental premise underlying the reorientation efforts of the Department of Public Information remains General Assembly resolution 13 (I) of 13 February 1946, establishing the Department, which states in paragraph 2 of annex I that "the activities of the Department should be so organized and directed as to promote to the greatest possible extent an informed understanding of the work and purposes of the United Nations among the peoples of the world",

Concurring also with the view of the Secretary-General that the contents of public information and communications should be placed at the heart of the strategic management of the United Nations and that a culture of communications should permeate all levels of the Organization, as a means of fully informing the peoples of the world of the aims and activities of the United Nations, in accordance with the purposes and principles enshrined in the Charter of the United Nations, in order to create broad-based global support for the United Nations,

Stressing that the primary mission of the Department of Public Information is to provide, through its outreach activities, accurate, impartial, comprehensive and timely information to the public on the tasks and responsibilities of the United Nations in order to strengthen international support for the activities of the Organization with the greatest transparency,

Noting that the comprehensive review of the work of the Department of Public Information, requested by the General Assembly in its resolution 56/253 of 24 December 2001, and the implementation of its first phase, described in the report of the Secretary-General on reorientation of United Nations activities in the field of public information and communications to the Committee on Information at its twenty-fourth session,[92] as well as the report of the Secretary-General entitled "Strengthening of the United Nations: an agenda for further change",[93] and its resolution 57/300 of 20 December 2002, as they apply to the Department of Public Information, provide an opportunity to take further steps to rationalize the work of the Department in order to enhance its efficiency and effectiveness, and to maximize the use of its resources,

Expressing its concern that the gap in the information and communication technologies between the developed and the developing countries has continued to widen and that vast segments of the population in developing countries are not benefiting from the present information and technology revolution, and, in this regard, underlining the necessity of rectifying the imbalances of the global information and technology revolution in order to make it more just, equitable and effective,

Recognizing that developments in the information and communication technology revolution open vast new opportunities for economic growth and social development and can play an important role in the eradication of poverty in developing countries, and, at the same time, emphasizing that it also poses challenges and risks and could lead to the further widening of disparities between and within countries,

Recalling its resolution 56/262 of 15 February 2002 on multilingualism, and emphasizing the importance of making appropriate use of the official languages of the United Nations in the activities of the Department of Public Information, aiming to eliminate the disparity between the use of English and the other five official languages,

Welcoming Saudi Arabia to membership in the Committee on Information,

I

Introduction

1. *Reaffirms* its resolution 13 (I), in which it established the Department of Public Information, and all other relevant General Assembly resolutions related to the activities of the Department;

2. *Calls upon* the Secretary-General, in respect of the public information policies and activities of the United Nations, to continue to implement fully the recommendations contained in paragraph 2 of its resolution 48/44 B of 10 December 1993 and other mandates as established by the General Assembly;

3. *Emphasizes* the importance of the medium-term plan for the period 2002-2005[94] as a guideline that sets out the overall orientation of the public information programme for the Organization's goals through effective communication;

4. *Reaffirms* that the United Nations remains the indispensable foundation of a peaceful and just world and that its voice must be heard in a clear and effective manner, and emphasizes the essential role of the Department of Public Information in this context;

5. *Welcomes* the proposals of the Secretary-General to improve the effective and targeted delivery of public information activities, including the restructuring of the Department of Public Information, in accordance with the relevant resolutions and decisions of the General Assembly;

6. *Reaffirms* the central role of the Committee on Information in United Nations public information policies and

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[92] A/AC.198/2002/2.

[93] A/57/387 and Corr.1.

[94] *Official Records of the General Assembly, Fifty-seventh Session, Supplement No. 6* and corrigendum (A/57/6/Rev.1 and Corr.1).

activities, including the restructuring process of the Department of Public Information, and the prioritization of its activities, and welcomes the continued constructive interaction between the Department and the members of the Committee;

7. *Calls upon* Member States to ensure, to the extent possible, that recommendations relating to the programme of the Department of Public Information originate and are considered in the Committee on Information;

8. *Requests* the Department of Public Information, following the priorities laid down by the General Assembly in the medium-term plan and using the United Nations Millennium Declaration[95] as its guide, to pay particular attention to such major issues as the eradication of poverty, conflict prevention, sustainable development, human rights, the human immunodeficiency virus/acquired immunodeficiency syndrome (HIV/AIDS) epidemic, combating terrorism in all its forms and manifestations and the needs of the African continent;

9. *Also requests* the Department of Public Information to pay attention to all major issues addressed in the United Nations Millennium Declaration and the Millennium Development Goals in carrying out its activities;

10. *Concurs* with the Secretary-General on the need to enhance the technological infrastructure of the Department of Public Information in order to widen its outreach and improve the United Nations web site;

11. *Recognizes* the important work carried out by the United Nations Educational, Scientific and Cultural Organization and its collaboration with news agencies and broadcasting organizations in developing countries in disseminating information on priority issues, and encourages a continued collaboration between the Department of Public Information and the United Nations Educational, Scientific and Cultural Organization in the promotion of culture and in the fields of education and communication;

II

General activities of the Department of Public Information

12. *Welcomes* the steps taken towards the restructuring of the Department of Public Information, as described in the report of the Secretary-General on the reorientation of United Nations activities in the field of public information and communications,[96] and encourages the Secretary-General to continue the reorientation exercise and efforts to improve the efficiency and productivity of the Department, including wide-ranging and possibly new innovative proposals, taking into account broad principles and directions contained in the present resolution, and to report thereon to the Committee on Information at its twenty-sixth session;

13. *Reaffirms* that the Department of Public Information is the focal point for information policies of the United Nations and the primary news centre for information about the United Nations, its activities and those of the Secretary-General, and encourages a closer integration of functions between the Department and those offices providing spokesman services for the Secretary-General;

14. *Welcomes* the progress achieved since the commencement of the reorientation exercise in enhancing the performance and effectiveness of the Department of Public Information in accordance with the mandates established by the General Assembly and the recommendations of the Committee on Information, also welcomes, in this regard, its decision to implement an annual programme impact review, making self-evaluation a part of the daily work of all programme managers with a view to institutionalizing performance management, and requests the Secretary-General to transmit the report on the Department's annual programme impact review to the Committee on Information at its successive sessions;

15. *Requests* the Secretary-General, in the context of the reorientation process, to continue to exert all efforts to ensure that publications and other information services of the Secretariat, including the United Nations web site and the United Nations News Service, contain comprehensive, objective and equitable information about the issues before the Organization and that they maintain editorial independence, impartiality, accuracy and full consistency with resolutions and decisions of the General Assembly;

16. *Reiterates* that all printed materials of the Department of Public Information, in accordance with existing mandates, should not duplicate other publications of the United Nations system and should be produced in a cost-effective manner;

17. *Welcomes* the efforts of the Department of Public Information to reconstitute the Publications Board, in accordance with existing legislative mandates;

18. *Urges* the Department of Public Information to continue to exhibit transparency to the greatest extent possible, so as to increase awareness of the impact of its programmes and activities;

19. *Emphasizes* that, through its reorientation, the Department of Public Information should maintain and improve its activities in the areas of special interest to developing countries and, where appropriate, other countries with special needs, including countries in transition, and that such reorientation contributes to bridging the existing gap between the developing and the developed countries in the crucial field of public information and communications;

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[95] See resolution 55/2.

[96] A/AC.198/2003/2.

20. *Encourages* the Secretary-General to strengthen the coordination between the Department of Public Information and other departments of the Secretariat, including the designation of focal points to work with substantive departments to identify target audiences and develop information programmes and media strategies for priority issues, and emphasizes that public information capacities and activities in other departments should function under the guidance of the Department;

21. *Welcomes* the initiatives that have been taken by the Department of Public Information to strengthen the public information system of the United Nations, and, in this regard, stresses the importance of a coherent and results-oriented approach being taken by the United Nations, the specialized agencies and the programmes and funds of the United Nations system involved in public information activities as well as the provision of resources for their implementation, and that feedback from Member States on the relevance and effectiveness of its programme delivery should be taken into account;

22. *Also welcomes* the report of the Secretary-General on the activities of the United Nations Communications Group in 2002,[97] commends the Department of Public Information on its active and constructive participation in the Group, in particular its efforts to promote inter-agency coordination in the field of public information, encourages the Department to continue to play a key role in the newly established Group, takes note of the efforts being undertaken by the Group to develop further several key initiatives, and requests the Secretary-General to report to the Committee on Information at successive sessions on the activities of the Group;

23. *Appreciates* the continued efforts of the Department of Public Information in issuing daily press releases, and requests the Department to continue providing this invaluable service to both Member States and representatives of the media, while considering possible means of improving their production process and streamlining their format, structure and length, keeping in mind the views of Member States and the fact that other departments may be providing similar or overlapping services in this regard;

24. *Acknowledges* the mission statement proposed in the report of the Secretary-General,[98] which is intended to include all activities of the Department, and which reads as follows: "The Department of Public Information's mission is to help fulfil the substantive purposes of the United Nations by strategically communicating the activities and concerns of the Organization to achieve the greatest public impact";

25. *Welcomes* the new operating model of the Department of Public Information as described in the report of the Secretary-General[96] which, inter alia, recognizes that content generation emanates from the other departments and offices of the Secretariat and organizations of the United Nations system, while content coordination and refinement as well as content presentation and distribution are the responsibility of the Department, working in close cooperation with the media, Member States and civil society partners;

26. *Requests* that during the deliberations on the item entitled "Questions relating to information" in the Special Political and Decolonization Committee (Fourth Committee) during the successive regular sessions of the General Assembly, an informal interaction between the Secretariat and members of the Committee should take place after the presentation by the Under-Secretary-General for Communications and Public Information on the substance of that oral briefing, within existing resources;

Multilingualism and public information

27. *Welcomes* the ongoing efforts of the Department of Public Information to enhance multilingualism in its activities and encourages the Department to continue its endeavours in this regard;

28. *Emphasizes* the importance of ensuring the full, equitable treatment of all the official languages of the United Nations in all activities of the Department of Public Information, and stresses the importance of fully implementing its resolution 52/214 of 22 December 1997, in section C of which it requested the Secretary-General to ensure that the texts of all new public documents in all six official languages, and information materials of the United Nations, are made available daily through the United Nations web site and are accessible to Member States without delay;

29. *Reaffirms* its request to the Secretary-General to ensure that the Department of Public Information has appropriate staffing capacity in all official languages of the United Nations to undertake all its activities;

30. *Reminds* the Secretary-General of the need to include in future programme budget proposals for the Department of Public Information the importance of using all six official languages in its activities;

Bridging the digital divide

31. *Recalls* the decision, endorsed in its resolution 56/183 of 21 December 2001, to convene the World Summit on the Information Society in Geneva in December 2003 and in Tunis in 2005, welcomes the initiatives undertaken by the Department of Public Information for this Summit, encourages States, relevant United Nations bodies and entities, other intergovernmental institutions and civil society to continue to actively participate in this process, and reaffirms the importance of the active involvement and support of the Department in raising global awareness of the Summit and its main objectives;

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[97] A/AC.198/2003/6.

[98] A/AC.198/2003/2, para. 11.

32. *Commends* the Secretary-General for the establishment of the United Nations Information Technology Service, the Health InterNetwork and the Information and Communications Technology Task Force with a view to bridging the digital divide and as a response to the continuing gulf between developed and developing countries, welcomes the contribution of the Department of Public Information in publicizing the efforts of the Secretary-General to close the digital divide as a means of spurring economic growth and as a response to the continuing gulf between developed and developing countries, and, in this context, requests the Department to further enhance its role;

III

New programmatic priorities for the Department of Public Information

33. *Takes note* of the report of the Secretary-General on programmatic aspects of the proposed programme budget for 2004-2005 for the Department of Public Information,[99] and welcomes the new subprogramme structure that includes: strategic communications services, news services, library services and outreach services;

34. *Acknowledges* that the Department of Public Information, with the assistance of the Office of Internal Oversight Services of the Secretariat, is currently in the process of formulating methodologies and conducting a systematic evaluation of the impact, efficiency and cost-effectiveness of the activities of the Department over a three-year period, as requested by the General Assembly in its resolution 57/300, and requests the Secretary-General to report on the progress made to the Committee on Information at its twenty-sixth session;

35. *Reaffirms* that the Department of Public Information must prioritize its work programme while respecting existing mandates and in line with rule 5.6 of the Regulations and Rules Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation, to focus its message and concentrate its efforts better and, as a function of performance management, to match its programmes with the needs of its target audiences, on the basis of improved feedback and evaluation mechanisms;

36. *Underlines* the need for the proposed indicators of achievement and expected accomplishments, which for the first time form part of the programme budget, to be clearly defined, measurable and able to contribute to a meaningful evaluation of activities;

United Nations information centres

37. *Stresses* that the United Nations information centres and information components or regional hubs, as applicable, should play a significant role in disseminating information about the work of the Organization to the peoples of the world, including in the areas outlined in the United Nations Millennium Declaration, and emphasizes that the information centres, or regional hubs, as applicable, as the "field voice" of the Department of Public Information, should promote public awareness of and mobilize support for the work of the United Nations at the local level, bearing in mind that information in the local languages has the strongest impact on the local populations;

38. *Takes note* of the note by the Secretary-General transmitting the report of the Office of Internal Oversight Services on the review of the structure and operations of United Nations information centres,[100] and requests the Secretary-General to submit further detailed information to the Committee on Information at its twenty-sixth session;

39. *Welcomes* the ongoing efforts of the Department of Public Information to review the allocation of both staff and financial resources to United Nations information centres with a view to possibly transferring resources from information centres in developed countries to United Nations information activities in developing countries, emphasizing the needs of the least developed countries, and to any other activities of high priority, such as multilingualism on the United Nations web site and evaluation of services, in consultation with concerned Member States;

40. *Reaffirms* paragraph 15 of its resolution 57/300, in which it took note of the proposal of the Secretary-General contained in action 8 of his report,[93] to rationalize the network of United Nations information centres around regional hubs, where appropriate, in consultation with concerned Member States, starting with the creation of a Western European hub, followed by a similar approach in other high-cost developed countries, and requests the Secretary-General to submit a progress report on the implementation of the proposal with the objective of applying this initiative in other regions, in consultation with Member States, where this initiative will strengthen the flow and exchange of information in developing countries;

41. *Encourages* the efforts by some United Nations information centres to develop their own web pages in local languages, also encourages the Department of Public Information to provide resources and technical facilities, in particular to those information centres whose web pages are not yet operational and to develop web pages in the respective local languages of their host countries, and further encourages host countries to respond to the needs of the information centres;

42. *Recalls* the appeal made by the Secretary-General to the host countries of United Nations information centres to

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[99] A/AC.198/2003/3.

[100] A/57/747.

facilitate the work of the centres in their countries by providing rent-free or rent-subsidized premises, while taking into account the economic condition of the host countries and bearing in mind that such support should not be a substitute for the full allocation of financial resources for the information centres in the context of the programme budget of the United Nations;

43. *Notes* the continuing support of the Department of Public Information in the consolidation of the United Nations field presence in a single United Nations house, and requests the Secretary-General to report in detail on the progress made to the Committee on Information at its twenty-sixth session;

IV

Strategic communications services

44. *Acknowledges* that the strategic communications services, to be implemented by the newly created Strategic Communications Division, will be responsible for devising and disseminating United Nations messages by developing communications strategies, in close collaboration with the substantive departments, United Nations funds and programmes and the specialized agencies of the United Nations, in full compliance with the legislative mandates;

Promotional campaigns

45. *Recognizes* that promotional campaigns aimed at supporting special sessions and international conferences of the United Nations are part of the core responsibility of the Department of Public Information, and welcomes the efforts of the Department to examine creative ways in which it can organize and implement these campaigns in partnership with the substantive departments concerned, using the United Nations Millennium Declaration as its guide;

46. *Supports* the efforts of the Department of Public Information, while ensuring respect for the priorities established by the General Assembly, to also focus its promotional campaigns on the major issues identified by the Secretary-General;

47. *Appreciates* the work of the Department of Public Information in promoting, through its campaigns, issues of importance to the international community, such as sustainable development, children, HIV/AIDS, malaria and other diseases and decolonization, as well as the dialogue among civilizations, culture of peace and tolerance and the consequences of the Chernobyl disaster, and encourages the Department, in cooperation with the countries concerned and with the relevant organizations and bodies of the United Nations system, to continue to take appropriate measures to enhance world public awareness of these and other important global issues;

48. *Encourages* the Department of Public Information to continue to work within the United Nations Communications Group to coordinate the implementation of communication strategies with the heads of information of the agencies, funds and programmes of the United Nations system;

49. *Stresses* the need for the renewed emphasis in support of Africa's development, in particular by the Department of Public Information, in order to promote awareness in the international community of the nature of the critical economic and social situation in Africa and of the priorities of the New Partnership for Africa's Development;[101]

Role of the Department of Public Information in United Nations peacekeeping

50. *Commends* the efforts of the Secretary-General to strengthen the public information capacity of the Department of Public Information for the establishment and functioning of the information components of peacekeeping operations and of political and peace-building missions of the United Nations, including its promotional efforts and other information support activities, and requests the Secretariat to continue to ensure the involvement of the Department from the planning stage of future operations through interdepartmental consultations and coordination with other departments of the Secretariat, in particular with the Department of Peacekeeping Operations;

51. *Stresses* the importance of enhancing the public information capacity of the Department of Public Information in the field of peacekeeping operations and its role in the selection process of spokespersons for United Nations peacekeeping operations or missions, and, in this regard, encourages the Department to second spokespersons who have the necessary skills to fulfil the tasks of the operations or missions, taking into account the equitable geographical distribution in accordance with Chapter XV, Article 101, paragraph 3, of the Charter of the United Nations, and to consider views expressed, especially by host countries, when appropriate, in this regard;

52. *Requests* the Secretary-General to continue to report to the Committee on Information on the role of the Department of Public Information in United Nations peacekeeping at its successive sessions;

53. *Welcomes* the transfer of the functions of the Cartographic Section from the Department of Public Information to the Department of Peacekeeping Operations, since the outputs of the Section are more closely aligned to the needs and activities of that Department;

V

News services

54. *Stresses* that the central objective of the news services, implemented by the News and Media Division, is the timely delivery of accurate, objective and balanced news and

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[101] A/57/304, annex.

information emanating from the United Nations system in all four mass media – print, radio, television and Internet – to the media and other audiences worldwide with the overall emphasis on multilingualism;

Traditional means of communication

55. *Also stresses* that radio remains one of the most cost-effective and far-reaching traditional media available to the Department of Public Information and an important instrument in United Nations activities, including development and peacekeeping, with a view to achieving a broad client base around the world;

56. *Notes with satisfaction* the success of the pilot project on the development of an international radio broadcasting capacity for the United Nations, and endorses the proposal of the Secretary-General that the pilot project be made an integral part of the activities of the Department;

57. *Requests* the Secretary-General to pay full attention to the parity of the six official languages in expanding the international radio broadcasting capacity;

58. *Notes* the efforts being made by the Department of Public Information to disseminate programmes directly to broadcasting stations all over the world in the six official languages, with the addition of Portuguese, as well as in other languages, where possible, and, in this regard, stresses the need for impartiality and objectivity concerning information activities of the United Nations;

59. *Encourages* the Department of Public Information to continue building partnerships with local, national and regional broadcasters to extend the United Nations message to all the corners of the world;

60. *Emphasizes* that United Nations Radio and Television should take full advantage of the technological infrastructure made available in recent years, including satellite platforms, information and communication technologies and the Internet, and requests the Secretary-General, as a part of the reorientation of the Department of Public Information, to consider a global strategy for broadcasting, taking into account existing technologies;

United Nations web site

61. *Reiterates its appreciation* for the efforts of the Department of Public Information in creating a high-quality, user-friendly and cost-effective web site, noting that this is especially noteworthy considering the scope of the undertaking, the budget constraints within the United Nations and the remarkably rapid expansion of the World Wide Web, reaffirms that the web site remains a very useful tool for media, non-governmental organizations, educational institutions, Member States and the general public, and welcomes the creation of the United Nations web site on terrorism;

62. *Encourages* the Department of Public Information to continue to take the necessary measures in order to ensure accessibility to the United Nations web site by persons with disabilities, including visual and hearing disabilities, and asks the Department to report to the Committee on Information at its twenty-sixth session on its efforts in this regard;

63. *Notes with concern* that the multilingual development and enrichment of the United Nations web site has been slower than expected, because of a lack of resources, among other factors, and that content-providing offices have not, in general, been making their materials available on the United Nations web site in all six official languages;

64. *Stresses* the need to adopt a decision on the multilingual development, maintenance and enrichment of the United Nations web site, considering, inter alia, the possibility of organizational restructuring towards separate language units for each of the six official languages within the Department of Public Information, in order to achieve full parity among the official languages of the United Nations;

65. *Reaffirms* its request to the Secretary-General to ensure, until such a decision has been taken and implemented, to the extent possible and while maintaining an up-to-date and accurate web site, the equitable distribution of financial and human resources within the Department of Public Information allocated to the United Nations web site among all official languages on a continuous basis, and to make every possible effort to ensure also that all materials contained on the web site that do not change and do not need regular maintenance are made available in all six official languages;

66. *Also reaffirms* the need to achieve full parity among the six official languages on the United Nations web site, and, in this regard, takes note of the proposal of the Secretary-General, as contained in paragraph 33 of his report on the continued development, maintenance and enrichment of the United Nations web site in the six official languages,[102] to translate all English materials and databases posted on the United Nations web site by the respective content-providing offices of the Secretariat into all official languages, and requests the Secretary-General to report to the Committee on Information at its twenty-sixth session on the most practical, efficient and cost-effective means of implementing this proposal;

67. *Requests* the Secretary-General to include in his report to the Committee on Information at its twenty-sixth session proposals relating to the designation of a date by which all supporting arrangements would be in place for the implementation of this concept, after which date parity would continue, as well as proposals relating to the exemption from translation of specific items on the United Nations web site;

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[102] A/AC.198/2002/6.

68. *Stresses* the importance of access for the public to the United Nations Treaty Collection and United Nations parliamentary documentation;

69. *Encourages* the Secretary-General, through the Department of Public Information, to continue to take full advantage of recent developments in information technology, including the Internet, in order to improve, in a cost-effective manner, the expeditious dissemination of information on the United Nations, in accordance with the priorities established by the General Assembly and taking into account the linguistic diversity of the Organization;

70. *Welcomes* the establishment of the United Nations News Centre in Arabic, and looks forward to the implementation of the United Nations News Centre in the remaining official languages by the end of 2003, with a view to achieving language parity on the United Nations web site;

71. *Also welcomes* the proposal of the Secretary-General to provide free, public access to the Official Document System of the United Nations through a linkage with the Organization's web site[103] for consideration in the context of the proposed programme budget for 2004–2005, and requests the Secretary-General to report to the Committee on Information at its twenty-sixth session in this regard;

72. *Commends* the Information Technology Services Division of the Office of Central Support Services of the Secretariat on its efforts to ensure that the required technological infrastructure is in place to accommodate the imminent linkage of the Official Document System to the United Nations web site, and also commends the Department of Public Information for addressing issues of content management relating to that System;

73. *Notes* that the integration of the Official Document System with the United Nations web site will significantly enhance the multilingual nature of the site and will lead to efficiencies throughout all Secretariat departments through the elimination of duplicate formatting and duplicate posting of documents on the site;

74. *Welcomes* the electronic mail-based United Nations News Service, distributed worldwide through e-mail by the Department of Public Information, and requests the Department to provide this service in all official languages, ensuring that news-breaking stories and news alerts are accurate, impartial and free of bias;

75. *Takes note* of the report of the Secretary-General on the efforts of the High-Level Committee on Management to establish a United Nations portal, an inter-agency search facility encompassing the public web sites of all United Nations system organizations, a description of which is contained in annex II to the report of the Secretary-General;[96]

76. *Calls upon* the Department of Public Information to encourage all United Nations system entities to participate in the United Nations system search pilot project, and requests the Secretary-General to report to the Committee on Information at its twenty-sixth session on the activities of the High-Level Committee on Management in this regard;

VI

Library services

77. *Notes* that the Dag Hammarskjöld Library is part of the Outreach Division of the Department of Public Information, also notes the continuing efforts of the Secretary-General to make the Library a virtual library with world outreach, reiterates the need to maintain the provision of hard copies to Member States, subject to the relevant provisions of its resolution 57/283 B of 15 April 2003, and further notes the efforts of the Secretary-General to enrich, on a multilingual basis, the stock of books and journals in the Library, including publications on peace and security and development-related issues, in order to ensure that the Library continues to be a broadly accessible resource for information about the United Nations and its activities;

78. *Welcomes* the creation of the Steering Committee on the Modernization and Integrated Management of United Nations Libraries, which is to develop and implement a strategy to achieve a more modern, efficient and accessible system within the United Nations, requests the Secretary-General, in guiding the work of the Steering Committee, to take into account the specificity and comparative advantage of each member library while ensuring an integrated, coherent and coordinated approach on United Nations libraries management and policy, and also requests the Secretary-General to report on the work of the Steering Committee to the Committee on Information at its twenty-sixth session;

79. *Recognizes* the importance of the depository libraries in disseminating information and knowledge about United Nations activities, and, in this connection, urges the Dag Hammarskjöld Library, in its capacity as the focal point, to take the initiatives necessary to strengthen such libraries by providing regional training and other assistance;

80. *Notes* the holding of training courses, conducted by the Dag Hammarskjöld Library for the representatives of Member States and Secretariat staff on the use of Cyberseek, web search, the Intranet, United Nations documentation, United Nations Info Quest and the Official Document System of the United Nations;

81. *Recalls* paragraph 44 of its resolution 56/64 B of 24 December 2001, in which it welcomed the role of the Department of Public Information in fostering increased

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[103] See A/AC.198/2003/2, para. 4 and annex II.

collaboration among libraries of the United Nations system, particularly in establishing one central system-wide online catalogue that would allow for the searching of the bibliographic records of all print holdings of all United Nations system libraries; commends the International Computing Centre for developing the United Nations System Shared Cataloguing and Public Access System, which provides a single point of access to library catalogues, indexes and abstract databases, library holdings, links to full-text resources, and archives; also commends the Department for its role in the development of the United Nations Shared Cataloguing and Public Access System; requests the Department to encourage all United Nations system organizations to participate in the System; and requests the Secretary-General to report to the Committee on Information at its twenty-sixth session in this regard;

82. *Looks forward* to the in-depth review of the library activities requested in paragraph 34 of its resolution 56/253, and requests that such a review be presented as soon as possible, and no later than at the twenty-sixth session of the Committee on Information;

83. *Takes note* of the report of the Secretary-General on modernization and integrated management of United Nations libraries,[104] and looks forward to further information and proposals as requested in paragraph 14 of its resolution 57/300, to be submitted to the relevant United Nations bodies, including the Committee on Information at its twenty-sixth session;

VII

Outreach services

84. *Acknowledges* that the outreach services, which are to be implemented by the Outreach Division of the Department of Public Information, will work towards promoting awareness of the role and work of the United Nations on priority issues;

85. *Notes* the importance of the continued implementation by the Department of Public Information of the ongoing programme for broadcasters and journalists from developing countries and countries in transition, as mandated by the General Assembly, and encourages the Department to consider how best to maximize the benefits derived from the programme by reviewing, inter alia, its duration and the number of its participants;

86. *Recognizes* the need for the Department of Public Information to increase its outreach services in all regions, and reiterates the need to include, in the reorientation of United Nations activities in the field of public information and communications, an analysis of the present reach and scope of the activities of the Department, identifying the widest possible spectrum of audiences and geographical areas that are not covered adequately and that may require special attention, including the appropriate means of communication and bearing in mind local language requirements;

87. *Congratulates* the United Nations Correspondents Association for its Dag Hammarskjöld Memorial Scholarship Fund, which sponsors journalists from developing countries to come to the United Nations Headquarters and report on the activities during the General Assembly, and urges donors to extend financial support to the Fund so that it may increase the number of such scholarships to journalists in this context;

VIII

Final remarks

88. *Requests* the Secretary-General to report to the Committee on Information at its twenty-sixth session and to the General Assembly at its fifty-ninth session on the activities of the Department of Public Information and on the implementation of the recommendations contained in the present resolution;

89. *Requests* the Committee on Information to report to the General Assembly at its fifty-ninth session;

90. *Decides* to include in the provisional agenda of its fifty-ninth session the item entitled "Questions relating to information".

RESOLUTION 58/102

Adopted at the 72nd plenary meeting, on 9 December 2003, on the recommendation of the Committee (A/58/476, para. 7),[105] by a recorded vote of 163 to none, with 6 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of

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[104] A/AC.198/2003/5.

[105] The draft resolution recommended in the report was submitted by the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

Korea, Republic of Moldova, Romania, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: None

Abstaining: Angola, France, Israel, Micronesia (Federated States of), United Kingdom of Great Britain and Northern Ireland, United States of America

58/102. Information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter of the United Nations

The General Assembly,

Recalling its resolution 1970 (XVIII) of 16 December 1963, in which it requested the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to study the information transmitted to the Secretary-General in accordance with Article 73 *e* of the Charter of the United Nations and to take such information fully into account in examining the situation with regard to the implementation of the Declaration, contained in General Assembly resolution 1514 (XV) of 14 December 1960,

Recalling also its resolution 57/131 of 11 December 2002, in which it requested the Special Committee to continue to discharge the functions entrusted to it under resolution 1970 (XVIII),

Stressing the importance of timely transmission by the administering Powers of adequate information under Article 73 *e* of the Charter, in particular in relation to the preparation by the Secretariat of the working papers on the Territories concerned,

Having examined the report of the Secretary-General,[106]

1. *Reaffirms* that, in the absence of a decision by the General Assembly itself that a Non-Self-Governing Territory has attained a full measure of self-government in terms of Chapter XI of the Charter of the United Nations, the administering Power concerned should continue to transmit information under Article 73 *e* of the Charter with respect to that Territory;

2. *Requests* the administering Powers concerned to transmit or continue to transmit to the Secretary-General the information prescribed in Article 73 *e* of the Charter, as well as the fullest possible information on political and constitutional developments in the Territories concerned, within a maximum period of six months following the expiration of the administrative year in those Territories;

3. *Requests* the Secretary-General to continue to ensure that adequate information is drawn from all available published sources in connection with the preparation of the working papers relating to the Territories concerned;

4. *Requests* the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to discharge the functions entrusted to it under General Assembly resolution 1970 (XVIII), in accordance with established procedures.

RESOLUTION 58/103

Adopted at the 72nd plenary meeting, on 9 December 2003, on the recommendation of the Committee (A/58/477, para. 7),[107] by a recorded vote of 164 to 2, with 3 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: Israel, United States of America

Abstaining: France, Micronesia (Federated States of), United Kingdom of Great Britain and Northern Ireland

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[106] A/58/69.

[107] The draft resolution recommended in the report was submitted by the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

58/103. Economic and other activities which affect the interests of the peoples of the Non-Self-Governing Territories

The General Assembly,

Having considered the item entitled "Economic and other activities which affect the interests of the peoples of the Non-Self-Governing Territories",

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the item,[108]

Recalling its resolution 1514 (XV) of 14 December 1960, as well as all other relevant Assembly resolutions including, in particular, resolutions 46/181 of 19 December 1991 and 55/146 of 8 December 2000,

Reaffirming the solemn obligation of the administering Powers under the Charter of the United Nations to promote the political, economic, social and educational advancement of the inhabitants of the Territories under their administration and to protect the human and natural resources of those Territories against abuses,

Reaffirming also that any economic or other activity that has a negative impact on the interests of the peoples of the Non-Self-Governing Territories and on the exercise of their right to self-determination in conformity with the Charter of the United Nations and General Assembly resolution 1514 (XV) is contrary to the purposes and principles of the Charter,

Reaffirming further that the natural resources are the heritage of the peoples of the Non-Self-Governing Territories, including the indigenous populations,

Aware of the special circumstances of the geographical location, size and economic conditions of each Territory, and bearing in mind the need to promote the economic stability, diversification and strengthening of the economy of each Territory,

Conscious of the particular vulnerability of the small Territories to natural disasters and environmental degradation,

Conscious also that foreign economic investment, when undertaken in collaboration with the peoples of the Non-Self-Governing Territories and in accordance with their wishes, could make a valid contribution to the socio-economic development of the Territories and also to the exercise of their right to self-determination,

Concerned about any activities aimed at exploiting the natural and human resources of the Non-Self-Governing Territories to the detriment of the interests of the inhabitants of those Territories,

Bearing in mind the relevant provisions of the final documents of the successive Conferences of Heads of State or Government of Non-Aligned Countries and of the resolutions adopted by the Assembly of Heads of State and Government of the African Union, the Pacific Islands Forum and the Caribbean Community,

1. *Reaffirms* the right of peoples of Non-Self-Governing Territories to self-determination in conformity with the Charter of the United Nations and with General Assembly resolution 1514 (XV), containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, as well as their right to the enjoyment of their natural resources and their right to dispose of those resources in their best interest;

2. *Affirms* the value of foreign economic investment undertaken in collaboration with the peoples of the Non-Self-Governing Territories and in accordance with their wishes in order to make a valid contribution to the socio-economic development of the Territories;

3. *Reaffirms* the responsibility of the administering Powers under the Charter of the United Nations to promote the political, economic, social and educational advancement of the Non-Self-Governing Territories, and reaffirms the legitimate rights of their peoples over their natural resources;

4. *Reaffirms its concern* about any activities aimed at the exploitation of the natural resources that are the heritage of the peoples of the Non-Self-Governing Territories, including the indigenous populations, in the Caribbean, the Pacific and other regions, and of their human resources, to the detriment of their interests, and in such a way as to deprive them of their right to dispose of those resources;

5. *Affirms* the need to avoid any economic and other activities that adversely affect the interests of the peoples of the Non-Self-Governing Territories;

6. *Calls once again upon* all Governments that have not yet done so to take, in accordance with the relevant provisions of General Assembly resolution 2621 (XXV) of 12 October 1970, legislative, administrative or other measures in respect of their nationals and the bodies corporate under their jurisdiction that own and operate enterprises in the Non-Self-Governing Territories that are detrimental to the interests of the inhabitants of those Territories, in order to put an end to such enterprises;

7. *Reiterates* that the damaging exploitation and plundering of the marine and other natural resources of the Non-Self-Governing Territories, in violation of the relevant resolutions of the United Nations, are a threat to the integrity and prosperity of those Territories;

8. *Invites* all Governments and organizations of the United Nations system to take all possible measures to ensure that the permanent sovereignty of the peoples of the Non-Self-

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[108] A/58/23 (Part II), chap. V. For the final text, see *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 23*.

Governing Territories over their natural resources is fully respected and safeguarded in accordance with the relevant resolutions of the United Nations on decolonization;

9. *Urges* the administering Powers concerned to take effective measures to safeguard and guarantee the inalienable right of the peoples of the Non-Self-Governing Territories to their natural resources and to establish and maintain control over the future development of those resources, and requests the administering Powers to take all necessary steps to protect the property rights of the peoples of those Territories in accordance with the relevant resolutions of the United Nations on decolonization;

10. *Calls upon* the administering Powers concerned to ensure that no discriminatory working conditions prevail in the Territories under their administration and to promote in each Territory a fair system of wages applicable to all the inhabitants without any discrimination;

11. *Requests* the Secretary-General to continue, through all means at his disposal, to inform world public opinion of any activity that affects the exercise of the right of the peoples of the Non-Self-Governing Territories to self-determination in conformity with the Charter of the United Nations and General Assembly resolution 1514 (XV);

12. *Appeals* to the mass media, trade unions and non-governmental organizations, as well as individuals, to continue their efforts to promote the economic well-being of the peoples of the Non-Self-Governing Territories;

13. *Decides* to follow the situation in the Non-Self-Governing Territories so as to ensure that all economic activities in those Territories are aimed at strengthening and diversifying their economies in the interest of their peoples, including the indigenous populations, and at promoting the economic and financial viability of those Territories;

14. *Requests* the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to examine this question and to report thereon to the General Assembly at its fifty-ninth session.

RESOLUTION 58/104

Adopted at the 72nd plenary meeting, on 9 December 2003, on the recommendation of the Committee (A/58/478, para. 7),[109] by a recorded vote of 116 to none, with 55 abstentions, as follows:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Singapore, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Tuvalu, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: None

Abstaining: Albania, Andorra, Armenia, Austria, Azerbaijan, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kazakhstan, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Micronesia (Federated States of), Monaco, Netherlands, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, Switzerland, Tajikistan, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America

58/104. Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations

The General Assembly,

Having considered the item entitled "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations",

Having also considered the report of the Secretary-General on the item,[110]

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the item,[111]

Recalling its resolutions 1514 (XV) of 14 December 1960 and 1541 (XV) of 15 December 1960 and the resolutions of the Special Committee, as well as other relevant resolutions and decisions, including in particular Economic and Social Council resolution 2002/30 of 25 July 2002,

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[109] The draft resolution recommended in the report was submitted by the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

[110] A/58/66.

[111] A/58/23 (Part II), chap. VI. For the final text, see *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 23.*

Bearing in mind the relevant provisions of the final documents of the successive Conferences of Heads of State or Government of Non-Aligned Countries and of the resolutions adopted by the Assembly of Heads of State and Government of the African Union, the Pacific Islands Forum and the Caribbean Community,

Conscious of the need to facilitate the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in resolution 1514 (XV),

Noting that the large majority of the remaining Non-Self-Governing Territories are small island Territories,

Welcoming the assistance extended to Non-Self-Governing Territories by certain specialized agencies and other organizations of the United Nations system, in particular the United Nations Development Programme,

Also welcoming the current participation in the capacity of observers of those Non-Self-Governing Territories that are associate members of regional commissions in the world conferences in the economic and social sphere, subject to the rules of procedure of the General Assembly and in accordance with relevant United Nations resolutions and decisions, including resolutions and decisions of the Assembly and the Special Committee on specific Territories,

Noting that only some specialized agencies and other organizations of the United Nations system have been involved in providing assistance to Non-Self-Governing Territories,

Stressing that, because the development options of the small island Non-Self-Governing Territories are limited, there are special challenges to planning for and implementing sustainable development and that those Territories will be constrained in meeting the challenges without the continuing cooperation and assistance of the specialized agencies and other organizations of the United Nations system,

Stressing also the importance of securing the necessary resources for funding expanded programmes of assistance for the peoples concerned and the need to enlist the support of all major funding institutions within the United Nations system in that regard,

Reaffirming the mandates of the specialized agencies and other organizations of the United Nations system to take all appropriate measures, within their respective spheres of competence, to ensure the full implementation of General Assembly resolution 1514 (XV) and other relevant resolutions,

Expressing its appreciation to the African Union, the Pacific Islands Forum, the Caribbean Community and other regional organizations for the continued cooperation and assistance they have extended to the specialized agencies and other organizations of the United Nations system in this regard,

Expressing its conviction that closer contacts and consultations between and among the specialized agencies and other organizations of the United Nations system and regional organizations help to facilitate the effective formulation of programmes of assistance to the peoples concerned,

Mindful of the imperative need to keep under continuous review the activities of the specialized agencies and other organizations of the United Nations system in the implementation of the various United Nations decisions relating to decolonization,

Bearing in mind the extremely fragile economies of the small island Non-Self-Governing Territories and their vulnerability to natural disasters, such as hurricanes, cyclones and sea-level rise, and recalling the relevant resolutions of the General Assembly,

Recalling General Assembly resolution 57/133 of 11 December 2002 on the implementation of the Declaration by the specialized agencies and the international institutions associated with the United Nations,

1. *Takes note* of the report of the Secretary-General;[110]

2. *Recommends* that all States intensify their efforts in the specialized agencies and other organizations of the United Nations system to ensure the full and effective implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV), and other relevant resolutions of the United Nations;

3. *Reaffirms* that the specialized agencies and other organizations and institutions of the United Nations system should continue to be guided by the relevant resolutions of the United Nations in their efforts to contribute to the implementation of the Declaration and all other relevant General Assembly resolutions;

4. *Also reaffirms* that the recognition by the General Assembly, the Security Council and other United Nations organs of the legitimacy of the aspirations of the peoples of the Non-Self-Governing Territories to exercise their right to self-determination entails, as a corollary, the extension of all appropriate assistance to those peoples;

5. *Expresses its appreciation* to those specialized agencies and other organizations of the United Nations system that have continued to cooperate with the United Nations and the regional and subregional organizations in the implementation of General Assembly resolution 1514 (XV) and other relevant resolutions of the United Nations, and requests all the specialized agencies and other organizations of the United Nations system to implement the relevant provisions of those resolutions;

6. *Requests* the specialized agencies and other organizations of the United Nations system and international

and regional organizations to examine and review conditions in each Territory so as to take appropriate measures to accelerate progress in the economic and social sectors of the Territories;

7. *Urges* those specialized agencies and organizations of the United Nations system that have not yet provided assistance to Non-Self-Governing Territories to do so as soon as possible;

8. *Requests* the specialized agencies and other organizations and institutions of the United Nations system and regional organizations to strengthen existing measures of support and formulate appropriate programmes of assistance to the remaining Non-Self-Governing Territories, within the framework of their respective mandates, in order to accelerate progress in the economic and social sectors of those Territories;

9. *Requests* the specialized agencies and other organizations of the United Nations system concerned to provide information on:

(*a*) Environmental problems facing the Non-Self-Governing Territories;

(*b*) The impact of natural disasters, such as hurricanes and volcanic eruptions, and other environmental problems, such as beach and coastal erosion and droughts, on those Territories;

(*c*) Ways and means to assist the Territories to fight drug trafficking, money-laundering and other illegal and criminal activities;

(*d*) The illegal exploitation of the marine resources of the Territories and the need to utilize those resources for the benefit of the peoples of the Territories;

10. *Recommends* that the executive heads of the specialized agencies and other organizations of the United Nations system formulate, with the active cooperation of the regional organizations concerned, concrete proposals for the full implementation of the relevant resolutions of the United Nations and submit the proposals to their governing and legislative organs;

11. *Also recommends* that the specialized agencies and other organizations of the United Nations system continue to review at the regular meetings of their governing bodies the implementation of General Assembly resolution 1514 (XV) and other relevant resolutions of the United Nations;

12. *Welcomes* the continuing initiative exercised by the United Nations Development Programme in maintaining close liaison among the specialized agencies and other organizations of the United Nations system and in providing assistance to the peoples of the Non-Self-Governing Territories;

13. *Encourages* the Non-Self-Governing Territories to take steps to establish and/or strengthen disaster preparedness and management institutions and policies;

14. *Requests* the administering Powers concerned to facilitate, when appropriate, the participation of appointed and elected representatives of Non-Self-Governing Territories in the relevant meetings and conferences of the specialized agencies and other organizations of the United Nations system, in accordance with relevant United Nations resolutions and decisions, including resolutions and decisions of the General Assembly and the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples on specific Territories, so that the Territories may benefit from the related activities of those agencies and organizations;

15. *Recommends* that all Governments intensify their efforts in the specialized agencies and other organizations of the United Nations system of which they are members to accord priority to the question of providing assistance to the peoples of the Non-Self-Governing Territories;

16. *Requests* the Secretary-General to continue to assist the specialized agencies and other organizations of the United Nations system in working out appropriate measures for implementing the relevant resolutions of the United Nations and to prepare for submission to the relevant bodies, with the assistance of those agencies and organizations, a report on the action taken in implementation of the relevant resolutions, including the present resolution, since the circulation of his previous report;

17. *Commends* the Economic and Social Council for its debate and resolution on this question, and requests it to continue to consider, in consultation with the Special Committee, appropriate measures for the coordination of the policies and activities of the specialized agencies and other organizations of the United Nations system in implementing the relevant resolutions of the General Assembly;

18. *Requests* the specialized agencies to report periodically to the Secretary-General on the implementation of the present resolution;

19. *Requests* the Secretary-General to transmit the present resolution to the governing bodies of the appropriate specialized agencies and international institutions associated with the United Nations so that those bodies may take the necessary measures to implement the resolution, and also requests the Secretary-General to report to the General Assembly at its fifty-ninth session on the implementation of the present resolution;

20. *Requests* the Special Committee to continue to examine the question and to report thereon to the General Assembly at its fifty-ninth session.

RESOLUTION 58/105

Adopted at the 72nd plenary meeting, on 9 December 2003, without a vote, on the recommendation of the Committee (A/58/479, para. 6)[112]

58/105. Offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories

The General Assembly,

Recalling its resolution 57/134 of 11 December 2002,

Having examined the report of the Secretary-General on offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories,[113] prepared pursuant to its resolution 845 (IX) of 22 November 1954,

Conscious of the importance of promoting the educational advancement of the inhabitants of Non-Self-Governing Territories,

Strongly convinced that the continuation and expansion of offers of scholarships is essential in order to meet the increasing need of students from Non-Self-Governing Territories for educational and training assistance, and considering that students in those Territories should be encouraged to avail themselves of such offers,

1. *Takes note* of the report of the Secretary-General;[113]

2. *Expresses its appreciation* to those Member States that have made scholarships available to the inhabitants of Non-Self-Governing Territories;

3. *Invites* all States to make or continue to make generous offers of study and training facilities to the inhabitants of those Territories that have not yet attained self-government or independence and, wherever possible, to provide travel funds to prospective students;

4. *Urges* the administering Powers to take effective measures to ensure the widespread and continuous dissemination in the Territories under their administration of information relating to offers of study and training facilities made by States and to provide all the necessary facilities to enable students to avail themselves of such offers;

5. *Requests* the Secretary-General to report to the General Assembly at its fifty-ninth session on the implementation of the present resolution;

6. *Draws the attention* of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to the present resolution.

RESOLUTION 58/106

Adopted at the 72nd plenary meeting, on 9 December 2003, without a vote, on the recommendation of the Committee (A/58/480, para. 26)[114]

58/106. Question of New Caledonia

The General Assembly,

Having considered the question of New Caledonia,

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to New Caledonia,[115]

Reaffirming the right of peoples to self-determination as enshrined in the Charter of the United Nations,

Recalling its resolutions 1514 (XV) of 14 December 1960 and 1541 (XV) of 15 December 1960,

Noting the importance of the positive measures being pursued in New Caledonia by the French authorities, in cooperation with all sectors of the population, to promote political, economic and social development in the Territory, including measures in the area of environmental protection and action with respect to drug abuse and trafficking, in order to provide a framework for its peaceful progress to self-determination,

Noting also, in this context, the importance of equitable economic and social development, as well as continued dialogue among the parties involved in New Caledonia in the preparation of the act of self-determination of New Caledonia,

Noting with satisfaction the intensification of contacts between New Caledonia and neighbouring countries of the South Pacific region,

1. *Welcomes* the significant developments that have taken place in New Caledonia as exemplified by the signing of the Nouméa Accord of 5 May 1998 by the representatives of New Caledonia and the Government of France;[116]

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[112] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Argentina, China, Cuba, Egypt, Ghana, India, Indonesia, Iran (Islamic Republic of), Nigeria, Philippines, Singapore, Thailand and United Republic of Tanzania.

[113] A/58/71.

[114] The draft resolution recommended in the report was submitted by the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

[115] A/58/23 (Part II), chap. VIII. For the final text, see *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 23*.

[116] A/AC.109/2114, annex.

2. *Urges* all the parties involved, in the interest of all the people of New Caledonia, to maintain, in the framework of the Nouméa Accord, their dialogue in a spirit of harmony;

3. *Notes* the relevant provisions of the Nouméa Accord aimed at taking more broadly into account the Kanak identity in the political and social organization of New Caledonia, and also those provisions of the Accord relating to control of immigration and protection of local employment;

4. *Also notes* the relevant provisions of the Nouméa Accord to the effect that New Caledonia may become a member or associate member of certain international organizations, such as international organizations in the Pacific region, the United Nations, the United National Educational, Scientific and Cultural Organization and the International Labour Organization, according to their regulations;

5. *Further notes* the agreement between the signatories of the Nouméa Accord that the progress made in the emancipation process shall be brought to the attention of the United Nations;

6. *Welcomes* the fact that the administering Power invited to New Caledonia, at the time the new institutions were established, a mission of information which comprised representatives of countries of the Pacific region;

7. *Calls upon* the administering Power to transmit information regarding the political, economic and social situation of New Caledonia to the Secretary-General;

8. *Invites* all the parties involved to continue promoting a framework for the peaceful progress of the Territory towards an act of self-determination in which all options are open and which would safeguard the rights of all New Caledonians according to the letter and the spirit of the Nouméa Accord, which is based on the principle that it is for the populations of New Caledonia to choose how to control their destiny;

9. *Welcomes* measures that have been taken to strengthen and diversify the New Caledonian economy in all fields, and encourages further such measures in accordance with the spirit of the Matignon and Nouméa Accords;

10. *Also welcomes* the importance attached by the parties to the Matignon and Nouméa Accords to greater progress in housing, employment, training, education and health care in New Caledonia;

11. *Acknowledges* the contribution of the Melanesian Cultural Centre to the protection of the indigenous culture of New Caledonia;

12. *Notes* the positive initiatives aimed at protecting the natural environment of New Caledonia, notably the "Zonéco" operation designed to map and evaluate marine resources within the economic zone of New Caledonia;

13. *Acknowledges* the close links between New Caledonia and the peoples of the South Pacific and the positive actions being taken by the French and territorial authorities to facilitate the further development of those links, including the development of closer relations with the countries members of the Pacific Islands Forum;

14. *Welcomes*, in this regard, the accession by New Caledonia to the status of observer in the Pacific Islands Forum, continuing high-level visits to New Caledonia by delegations from countries of the Pacific region and high-level visits by delegations from New Caledonia to countries members of the Pacific Islands Forum;

15. *Decides* to keep under continuous review the process unfolding in New Caledonia as a result of the signing of the Nouméa Accord;

16. *Requests* the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to examine the question of the Non-Self-Governing Territory of New Caledonia and to report thereon to the General Assembly at its fifty-ninth session.

RESOLUTION 58/107

Adopted at the 72nd plenary meeting, on 9 December 2003, without a vote, on the recommendation of the Committee (A/58/480, para. 26)[117]

58/107. Question of Tokelau

The General Assembly,

Having considered the question of Tokelau,

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to Tokelau,[118]

Recalling the solemn declaration on the future status of Tokelau, contained in the 1994 "Voice of Tokelau", which stated that an act of self-determination in Tokelau was under active consideration, together with the constitution of a self-governing Tokelau, and that the then preference of Tokelau was for a status of free association with New Zealand,

Recalling also its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of

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[117] The draft resolution recommended in the report was submitted by the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

[118] A/58/23 (Part II), chap. X. For the final text, see *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 23.*

Independence to Colonial Countries and Peoples, and all resolutions and decisions of the United Nations relating to Non-Self-Governing Territories, in particular General Assembly resolution 57/137 of 11 December 2002,

Recalling further the emphasis placed in the solemn declaration on the terms of Tokelau's special relationship with New Zealand, including the expectation that the form of help that Tokelau could continue to expect from New Zealand in promoting the well-being of its people, besides its external interests, would be clearly established within the framework of that relationship,

Noting with appreciation the continuing exemplary cooperation of New Zealand as the administering Power with regard to the work of the Special Committee relating to Tokelau and its readiness to permit access by United Nations visiting missions to the Territory,

Noting also with appreciation the collaborative contribution to the development of Tokelau by New Zealand and the specialized agencies and other organizations of the United Nations system, in particular the United Nations Development Programme and the World Health Organization,

Recalling the dispatch in August 2002 of a United Nations Mission to Tokelau, at the invitation of the Government of New Zealand and the representatives of Tokelau,

Recalling also the report of the United Nations Mission to Tokelau, 2002,[119]

Noting that, as a small island Territory, Tokelau exemplifies the situation of most remaining Non-Self-Governing Territories,

Noting also that, as a case study pointing to successful cooperation for decolonization, Tokelau has wider significance for the United Nations as it seeks to complete its work in decolonization,

1. *Notes* that Tokelau remains firmly committed to the development of self-government and to an act of self-determination that would result in Tokelau assuming a status in accordance with the options on future status for Non-Self-Governing Territories contained in principle VI of the annex to General Assembly resolution 1541 (XV) of 15 December 1960;

2. *Also notes* the desire of Tokelau to move at its own pace towards an act of self-determination;

3. *Further notes* the inauguration in 1999 of a national Government based on village elections by universal adult suffrage;

4. *Acknowledges* Tokelau's goal to return authority to its traditional leadership, and its wish to provide that leadership with the necessary support to carry out its functions in the contemporary world;

5. *Acknowledges also* the progress made towards that goal under the Modern House of Tokelau project, and welcomes the decision taken by the General Fono in June 2003 to set a target date of 30 June 2004 for the transfer to each Taupulega (Village Council) of full responsibility for the management of all its public services;

6. *Acknowledges further* Tokelau's initiative in devising a strategic economic development plan for the period 2002-2004 to advance its capacity for self-government;

7. *Notes* that, consistent with the expressed desires of past traditional leaders and the principles of the Modern House of Tokelau, Tokelau has established a local public service employer;

8. *Welcomes* the continuing dialogue with the administering Power and the Territory with a view to the development of a programme of work for Tokelau in accordance with General Assembly resolution 55/147 of 8 December 2000;

9. *Acknowledges* the continuing support that New Zealand has committed to the Modern House of Tokelau project in 2002-2003, and the cooperation of the United Nations Development Programme in aligning its programmes under the project;

10. *Notes* that the Constitution of a self-governing Tokelau will continue to develop as a part and as a consequence of the building of the Modern House of Tokelau, and that both have national and international importance for Tokelau;

11. *Acknowledges* Tokelau's need for continued reassurance, given the cultural adjustments that are taking place with the strengthening of its capacity for self-government and, since local resources cannot adequately cover the material side of self-determination, the ongoing responsibility of Tokelau's external partners to assist Tokelau in balancing its desire to be self-reliant to the greatest extent possible with its need for external assistance;

12. *Notes* the special challenge inherent in the situation of Tokelau, among the smallest of the small Territories, and that a Territory's exercise of its inalienable right to self-determination may be brought closer, as in the case of Tokelau, by the meeting of that challenge in innovative ways;

13. *Acknowledges* the desire of the partners to reaffirm their commitment to each other, and welcomes the agreement reached in Wellington on 19 June 2003 on the text of an agreement on the principles underpinning the relationship for which the formal approval of the Government of New Zealand is being sought;

14. *Welcomes* the assurance of the Government of New Zealand that it will meet its obligations to the United

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[119] A/AC.109/2002/31.

Nations with respect to Tokelau and abide by the freely expressed wishes of the people of Tokelau with regard to their future status;

15. *Also welcomes* the cooperative attitude of the other States and Territories in the region towards Tokelau, its economic and political aspirations and its increasing participation in regional and international affairs;

16. *Further welcomes* Tokelau's associate membership in the United Nations Educational, Scientific and Cultural Organization and its recent accession to associate membership in the Forum Fisheries Agency;

17. *Reaffirms its approval* of the report of the United Nations Mission to Tokelau, 2002;[119]

18. *Notes* that a study to review the options for Tokelau's future self-determination is recommended in the report, and further notes the willingness expressed by the United Nations Development Programme to assist in this regard upon request from Tokelau;

19. *Calls upon* New Zealand and Tokelau to consider developing an information programme to apprise the population of Tokelau of the nature of self-determination, including the three options of integration, free association and independence, so that it may be better prepared to face a future decision on this matter, and welcomes the invitation extended to the Chairman of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to attend the constitutional convention to be held in Tokelau;

20. *Calls upon* the administering Power and United Nations agencies to continue to provide assistance to Tokelau as it further develops its economy and governance structures in the context of its ongoing constitutional evolution;

21. *Requests* the Special Committee to continue to examine the question of the Non-Self-Governing Territory of Tokelau and to report thereon to the General Assembly at its fifty-ninth session.

RESOLUTIONS 58/108 A and B

Adopted at the 72nd plenary meeting, on 9 December 2003, without a vote, on the recommendation of the Committee (A/58/480, para. 26)[120]

58/108. Questions of American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Pitcairn, Saint Helena, the Turks and Caicos Islands and the United States Virgin Islands

A

GENERAL

The General Assembly,

Having considered the questions of the Non-Self-Governing Territories of American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Pitcairn, Saint Helena, the Turks and Caicos Islands and the United States Virgin Islands, hereinafter referred to as "the Territories",

Having examined the relevant chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,[121]

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all resolutions and decisions of the United Nations relating to those Territories, including, in particular, the resolutions adopted by the General Assembly at its fifty-seventh session on the individual Territories covered by the present resolution,

Recognizing that in the decolonization process there is no alternative to the principle of self-determination as enunciated by the General Assembly in its resolutions 1514 (XV), 1541 (XV) and other resolutions,

Recognizing also that all available options for self-determination of the Territories are valid as long as they are in accordance with the freely expressed wishes of the peoples concerned and in conformity with the clearly defined principles contained in resolutions 1514 (XV), 1541 (XV) and other resolutions of the General Assembly,

Recalling its resolution 1541 (XV) of 15 December 1960, containing the principles that should guide Member States in determining whether or not an obligation exists to transmit the information called for under Article 73 *e* of the Charter of the United Nations,

Expressing its concern that more than forty years after the adoption of the Declaration there still remains a number of Non-Self-Governing Territories,

Conscious of the importance of continuing effective implementation of the Declaration, taking into account the target set by the United Nations to eradicate colonialism by 2010 and the plan of action for the Second International Decade for the Eradication of Colonialism,[122]

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[120] The draft resolutions recommended in the report were submitted by the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

[121] A/58/23 (Part II), chap. IX. For the final text, see *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 23*.

Recognizing that the specific characteristics and the sentiments of the peoples of the Territories require flexible, practical and innovative approaches to the options of self-determination, without any prejudice to territorial size, geographical location, size of population or natural resources,

Welcoming the stated position of the Government of the United Kingdom of Great Britain and Northern Ireland that it continues to take seriously its obligations under the Charter to develop self-government in the dependent Territories and, in cooperation with the locally elected Governments, to ensure that their constitutional frameworks continue to meet the wishes of the people, and the emphasis that it is ultimately for the peoples of the Territories to decide their future status,

Welcoming also the stated position of the Government of the United States of America that it supports fully the principles of decolonization and takes seriously its obligations under the Charter to promote to the utmost the well-being of the inhabitants of the Territories under United States administration,

Noting the constitutional developments in some Non-Self-Governing Territories about which the Special Committee has received information,

Aware of the usefulness both to the Territories and to the Special Committee of the participation of elected and appointed representatives of the Territories in the work of the Special Committee,

Convinced that the wishes and aspirations of the peoples of the Territories should continue to guide the development of their future political status and that referendums, free and fair elections and other forms of popular consultation play an important role in ascertaining the wishes and aspirations of the people,

Convinced also that any negotiations to determine the status of a Territory must take place with the active involvement and participation of the people of that Territory, and that the views of the peoples of the Non-Self-Governing Territories in respect of their right to self-determination should be ascertained under the supervision of the United Nations, on a case-by-case basis,

Mindful that United Nations visiting missions provide an effective means of ascertaining the situation in the Territories, that some Territories have not received a United Nations visiting mission for a long time and that no visiting missions have been sent to some of the Territories, and considering the possibility of sending further visiting missions to the Territories at an appropriate time and in consultation with the administering Powers,

Mindful also that, in order for the Special Committee to enhance its understanding of the political status of the peoples of the Territories and to fulfil its mandate effectively, it is important for it to be apprised by the administering Powers and to receive information from other appropriate sources, including the representatives of the Territories, concerning the wishes and aspirations of the peoples of the Territories,

Recognizing the need for the Special Committee to embark actively on a public awareness campaign aimed at assisting the peoples of the Territories in gaining an understanding of the options of self-determination,

Mindful, in this connection, that the holding of regional seminars in the Caribbean and Pacific regions and at Headquarters and other venues, with the active participation of representatives of the Non-Self-Governing Territories, provides a helpful means for the Special Committee to fulfil its mandate, and that the regional nature of the seminars, which alternate between the Caribbean and the Pacific, is a crucial element in their success, while recognizing the need for reviewing the role of those seminars in the context of a United Nations programme for ascertaining the political status of the Territories,

Mindful also that, by holding a Caribbean regional seminar at The Valley, Anguilla, from 20 to 22 May 2003, the Special Committee was able to hear the views of the representatives of the Territories and Member States as well as organizations and experts in the region, in order to review the political, economic and social conditions in the Territories,

Aware of the special circumstances of the geographical location and economic conditions of each Territory, and bearing in mind the necessity of promoting economic stability and diversifying and strengthening further the economies of the respective Territories as a matter of priority,

Conscious of the particular vulnerability of the Territories to natural disasters and environmental degradation and, in this connection, bearing in mind the programmes of action of the United Nations Conference on Environment and Development,[123] the World Conference on Natural Disaster Reduction,[124] the Global Conference on the Sustainable Development of Small Island Developing States,[125] the

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[122] See A/56/61, annex.

[123] See *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3–14 June 1992* (United Nations publication, Sales No. E.93.I.8 and corrigenda), vol. I: *Resolutions adopted by the Conference*.

[124] See A/CONF.172/9, chap. I.

[125] See *Report of the Global Conference on the Sustainable Development of Small Island Developing States, Bridgetown, Barbados, 25 April–6 May 1994* (United Nations publication, Sales No. E.94.I.18 and corrigenda), chap. I.

International Conference on Population and Development,[126] the United Nations Conference on Human Settlements (Habitat II),[127] the World Summit on Sustainable Development[128] and other relevant world conferences,

Noting with appreciation the contribution to the development of some Territories by specialized agencies and other organizations of the United Nations system, in particular the United Nations Development Programme, and regional institutions such as the Caribbean Development Bank, the Caribbean Community, the Organization of Eastern Caribbean States, the Pacific Islands Forum and the agencies of the Council of Regional Organizations in the Pacific,

Noting that some territorial Governments have made efforts towards achieving the highest standards of financial supervision,

Concerned that in 2002 economic growth slowed in many Non-Self-Governing Territories, in particular in the tourism and construction sectors,

Recalling the ongoing efforts of the Special Committee in carrying out a critical review of its work with the aim of making appropriate and constructive recommendations and decisions to attain its objectives in accordance with its mandate,

1. *Reaffirms* the inalienable right of the peoples of the Territories to self-determination, in conformity with the Charter of the United Nations and with General Assembly resolution 1514 (XV), containing the Declaration on the Granting of Independence to Colonial Countries and Peoples;

2. *Reaffirms also* that, in the process of decolonization, there is no alternative to the principle of self-determination, which is also a fundamental human right;

3. *Reaffirms further* that it is ultimately for the peoples of the Territories themselves to determine freely their future political status in accordance with the relevant provisions of the Charter, the Declaration and the relevant resolutions of the General Assembly, and in that connection calls upon the administering Powers, in cooperation with the territorial Governments, to facilitate programmes of political education in the Territories in order to foster an awareness among the people of their right to self-determination in conformity with the legitimate political status options, based on the principles clearly defined in General Assembly resolution 1541 (XV);

4. *Requests* the administering Powers to transmit to the Secretary-General information called for under Article 73 *e* of the Charter and other updated information and reports, including reports on the wishes and aspirations of the peoples of the Territories regarding their future political status as expressed in fair and free referendums and other forms of popular consultation, as well as the results of any informed and democratic processes consistent with practice under the Charter that indicate the clear and freely expressed wish of the people to change the existing status of the Territories;

5. *Stresses* the importance for it to be apprised of the views and wishes of the peoples of the Territories and to enhance its understanding of their conditions;

6. *Reaffirms* that United Nations visiting missions to the Territories at an appropriate time and in consultation with the administering Powers are an effective means of ascertaining the situation in the Territories, and requests the administering Powers and the elected representatives of the peoples of the Territories to facilitate the work of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in this regard;

7. *Reaffirms also* the responsibility of the administering Powers under the Charter to promote the economic and social development and to preserve the cultural identity of the Territories, and recommends that priority continue to be given, in consultation with the territorial Governments concerned, to the strengthening and diversification of their respective economies;

8. *Requests* the Territories and the administering Powers to take all necessary measures to protect and conserve the environment of the Territories against any environmental degradation, and once again requests the specialized agencies concerned to continue to monitor environmental conditions in those Territories;

9. *Calls upon* the administering Powers, in cooperation with the respective territorial Governments, to continue to take all necessary measures to counter problems related to drug trafficking, money-laundering and other offences;

10. *Notes* the cooperative efforts of some Non-Self-Governing Territories to address the problem of illegal drugs, with a focus on demand reduction, education, treatment and legal issues;

11. *Notes with concern* that the plan of action for the first International Decade for the Eradication of Colonialism[129] was not fully implemented by 2000, and stresses the importance of implementing the plan of action for the Second International Decade, in particular by expediting the application of the work

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[126] *Report of the International Conference on Population and Development, Cairo, 5–13 September 1994* (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex.

[127] *Report of the United Nations Conference on Human Settlements (Habitat II), Istanbul, 3–14 June 1996* (United Nations publication, Sales No. E.97.IV.6), chap. I, resolution 1, annex II.

[128] See *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum).

[129] See A/46/634/Rev.1 and Corr.1, annex.

programme for the decolonization of each Non-Self-Governing Territory, on a case-by-case basis;

12. *Invites* the administering Powers to participate fully in the work of the Special Committee and to enter into constructive dialogue with the Special Committee before the fifty-ninth session of the General Assembly in order to implement the provisions of Article 73 *e* of the Charter and the Declaration on the Granting of Independence to Colonial Countries and Peoples for the period 2001–2010;

13. *Urges* Member States to contribute to the efforts of the United Nations to usher in a world free of colonialism within the Second International Decade for the Eradication of Colonialism, and calls upon them to continue to give their full support to the Special Committee in its endeavours towards that noble goal;

14. *Urges also* the specialized agencies and other organizations of the United Nations system to initiate or to continue to take all necessary measures to accelerate progress in the economic and social life of the Territories, and calls for closer cooperation between the Special Committee and the Economic and Social Council in furtherance of the provision of assistance to the Territories;

15. *Notes* that some Non-Self-Governing Territories have expressed concern at the procedure followed by one administering Power, contrary to the wishes of the Territories themselves, namely, of amending or enacting legislation for the Territories through Orders in Council, in order to apply to the Territories the international treaty obligations of the administering Power;

16. *Takes note* of statements made by the elected representatives of the Territories concerned and other appropriate authorities emphasizing their willingness to cooperate in all international efforts aimed at preventing abuse of the international financial system and to promote regulatory environments with highly selective licensing procedures, robust supervisory practices and well-established anti-money-laundering regimes;

17. *Requests* the Secretary-General to report to the General Assembly on the implementation of decolonization resolutions since the declaration of the Second International Decade for the Eradication of Colonialism;

18. *Requests* the Special Committee to continue to examine the question of the small Territories and to report thereon to the General Assembly at its fifty-ninth session with recommendations on appropriate ways to assist the peoples of the Territories in exercising their right to self-determination.

B

INDIVIDUAL TERRITORIES

The General Assembly,

Referring to resolution A above,

I

American Samoa

Taking note of the report by the administering Power that most American Samoan leaders express satisfaction with the Territory's present relationship with the United States of America, as reflected in statements made by those leaders in the regional seminars held in Havana, Cuba, and Nadi, Fiji, in 2001 and 2002, respectively,

Noting that the Government of the Territory continues to have financial, budgetary and internal control problems, but that it has recently taken steps to increase revenues and decrease government expenditures,

Noting also that the Territory, similar to isolated communities with limited funds, continues to experience a lack of adequate medical and other infrastructural facilities,

Aware of the efforts of the Government of the Territory to control and reduce expenditures, while continuing its programme of expanding and diversifying the local economy,

Concerned that massive flooding and mudslides in May 2003 resulted in loss of life and damage initially estimated by the territorial Government at more than 50 million United States dollars, and taking note of the official request by the Territory for recovery assistance from the administering Power,

1. *Notes* that the Department of the Interior of the United States of America provides that the Secretary of the Interior has administrative jurisdiction over American Samoa;

2. *Calls upon* the administering Power to continue to assist the territorial Government in the economic and social development of the Territory, including measures to rebuild financial management capabilities and strengthen other governmental functions of the Government of the Territory, and welcomes the assistance from the administering Power to the Territory in its recovery efforts following the recent floods;

3. *Welcomes* the invitation extended to the Special Committee by the Governor of American Samoa to send a visiting mission to the Territory, and calls upon the administering Power to facilitate such a mission;

II

Anguilla

Noting the continuation of the conduct of the constitutional and electoral reform review process in the Territory,

Welcoming the holding of the 2003 Caribbean regional seminar in Anguilla, the first time that the seminar has been held in a Non-Self-Governing Territory, *Noting* the desire of the territorial Government and the people of Anguilla for a visiting mission by the Special Committee,

Aware of the efforts of the Government of Anguilla to continue to develop the Territory as a viable offshore centre and well-regulated financial centre for investors, by enacting modern company and trust laws, as well as partnership and insurance legislation, and computerizing the company registry system,

Noting the need for continued cooperation between the administering Power and the territorial Government in tackling the problems of drug trafficking and money-laundering,

1. *Welcomes* the emphasis placed in the initial stages of the constitutional and electoral reform review process on participation, information and education and the support provided by the United Nations Development Programme and the United Kingdom Government fund for good government;

2. *Welcomes also* the cooperation of the territorial Government of Anguilla and the United Kingdom in holding the 2003 Caribbean regional seminar in Anguilla, and notes that the staging of the seminar in a Non-Self-Governing Territory for the first time as well as a town hall meeting between the people of Anguilla and the Special Committee during the seminar contributed to its success;

3. *Calls upon* the administering Power and all States, organizations and United Nations agencies to continue to assist the Territory in social and economic development;

III

Bermuda

Noting the results of the independence referendum held on 16 August 1995, and conscious of the different viewpoints of the political parties of the Territory on the future status of the Territory,

1. *Calls upon* the administering Power to continue to work with the Territory for its socio-economic development;

2. *Welcomes* the agreement reached in June 2002 between the United States of America, the United Kingdom of Great Britain and Northern Ireland and the Territory formally transferring the former military base lands to the territorial Government, and the provision of financial resources to address some of the environmental problems;

3. *Welcomes also* the convening in the Territory in March 2003 of an international conference on conservation in overseas territories and other small island States, which included governmental and non-governmental organizations to address issues of common concern;

IV

British Virgin Islands

Taking note of the steps currently being taken to review the Constitution with the aim of modernizing it,

Noting that the Territory continues to emerge as one of the world's leading offshore financial centres, and that the financial services sector is becoming the cornerstone of the Government's recurrent budget,

Noting also the need for continued cooperation between the administering Power and the territorial Government in countering drug trafficking and money-laundering,

Noting further that the Territory commemorated its annual British Virgin Islands-United States Virgin Islands Friendship Day on 31 May 2003 in Charlotte Amalie, St. Thomas,

Requests the administering Power, the specialized agencies and other organizations of the United Nations system and all financial institutions to continue to provide the Territory with assistance for socio-economic development and the development of human resources, bearing in mind the vulnerability of the Territory to external factors;

V

Cayman Islands

Noting the formation for the first time of a political party in the Territory and the subsequent emergence of a party system in the Territory,

Taking note of the constitutional review process being undertaken by the territorial Government in consultation with the administering Power,

Noting the actions taken by the territorial Government to promote increased participation by the local population in the decision-making process in the economic and social sectors in the Cayman Islands,

Aware that the Territory has one of the highest per capita incomes in the region, a stable political climate and has emerged as one of the world's leading offshore financial centres with virtually no unemployment,

Noting with concern the vulnerability of the Territory to drug trafficking, money-laundering and related activities, and noting the measures taken by the authorities to deal with those problems,

Noting the approval by the Cayman Islands Legislative Assembly of the Territory's Vision 2008 Development Plan, which aims to promote development that is consistent with the aims and values of Caymanian society,

1. *Welcomes* the completion of the report of the Constitutional Review Commission, which conducted an extensive review of the current Constitution, and the

recommended changes, following public discussions with community groups and individuals, pursuant to the recommendations of the administering Power as stated in its White Paper entitled "Partnership for Progress and Prosperity: Britain and the Overseas Territories";[130]

2. *Requests* the administering Power, the specialized agencies and other organizations of the United Nations system to continue to provide the territorial Government with all required expertise to enable it to achieve its socio-economic aims;

3. *Requests* the administering Power, in consultation with the territorial Government, to continue to facilitate the expansion of the current programme of securing employment for the local population, in particular at the decision-making level;

VI

Guam

Recalling that, in a referendum held in 1987, the registered and eligible voters of Guam endorsed a draft Guam Commonwealth Act that would establish a new framework for relations between the Territory and the administering Power, providing for a greater measure of internal self-government for Guam and recognition of the right of the Chamorro people of Guam to self-determination for the Territory,

Recalling also the requests by the elected representatives and non-governmental organizations of the Territory that Guam not be removed from the list of the Non-Self-Governing Territories with which the Special Committee is concerned, pending the self-determination of the Chamorro people and taking into account their legitimate rights and interests,

Aware that negotiations between the administering Power and the territorial Government on the draft Guam Commonwealth Act are no longer continuing and that Guam has established the process for a self-determination vote by the eligible Chamorro voters,

Cognizant that the administering Power continues to implement its programme of transferring surplus federal land to the Government of Guam,

Noting that the people of the Territory have called for reform in the programme of the administering Power with respect to the thorough, unconditional and expeditious transfer of land property to the people of Guam,

Conscious that immigration into Guam has resulted in the indigenous Chamorros becoming a minority in their homeland,

Aware of the potential for diversifying and developing the economy of Guam through commercial fishing and agriculture and other viable activities,

Recalling the dispatch in 1979 of a United Nations visiting mission to the Territory, and noting the recommendation of the 1996 Pacific regional seminar for sending a visiting mission to Guam,[131]

Taking note with interest of the statements made and the information on the political and economic situation in Guam provided by the representatives of the Territory at the 5th meeting of the Fourth Committee on 3 October 2002,[132]

Concerned that the 2001 census figures in the Territory show that 23 per cent of the population lives in poverty,

1. *Calls upon* the administering Power to take into consideration the expressed will of the Chamorro people as supported by Guam voters in the plebiscite of 1987 and as provided for in Guam law, encourages the administering Power and the territorial Government of Guam to enter into negotiations on the matter, and requests the administering Power to inform the Secretary-General of progress to that end;

2. *Requests* the administering Power to continue to assist the elected territorial Government in achieving its political, economic and social goals;

3. *Also requests* the administering Power, in cooperation with the territorial Government, to continue to transfer land to the original landowners of the Territory;

4. *Further requests* the administering Power to continue to recognize and respect the political rights and the cultural and ethnic identity of the Chamorro people of Guam, and to take all necessary measures to respond to the concerns of the territorial Government with regard to the question of immigration;

5. *Requests* the administering Power to cooperate in establishing programmes specifically intended to promote the sustainable development of economic activities and enterprises, noting the special role of the Chamorro people in the development of Guam;

6. *Also requests* the administering Power to continue to support appropriate measures by the territorial Government aimed at promoting growth in commercial fishing and agricultural and other viable activities;

7. *Calls upon* the administering Power to facilitate a visiting mission to Guam as requested by the territorial Government;

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[130] A/AC.109/1999/1 and Corr.1, annex.

[131] See A/AC.109/2058, para. 33 (20).

[132] See *Official Records of the General Assembly, Fifty-seventh Session, Fourth Committee*, 5th meeting (A/C.4/57/SR.5), and corrigendum.

VII

Montserrat

Taking note with interest of the statements made and the information on the political and economic situation in Montserrat provided by the Chief Minister of the Territory to the Caribbean regional seminar, held at The Valley, Anguilla, from 20 to 22 May 2003,[133]

Noting with concern the dire consequences of the volcanic eruption, which led to the evacuation of three quarters of the Territory's population to safe areas of the island and to areas outside the Territory, in particular Antigua and Barbuda and the United Kingdom of Great Britain and Northern Ireland, and which continues to have enduring consequences upon the economy of the island,

Welcoming the continued assistance provided to the Territory by States members of the Caribbean Community, in particular Antigua and Barbuda, which has offered safe refuge and access to educational and health facilities, as well as employment for thousands who have left the Territory,

Noting the continuing efforts of the administering Power to deal with the consequences of the volcanic eruption,

Noting with concern that a number of the inhabitants of the Territory continue to live in shelters because of volcanic activity,

Noting that the Chief Minister of Montserrat assumed the chairmanship of the Organization of Eastern Caribbean States in May 2003,

1. *Calls upon* the administering Power, the specialized agencies and other organizations of the United Nations system, as well as regional and other organizations, to continue to provide assistance to the Territory in alleviating the consequences of the volcanic eruption;

2. *Takes note* of the completion of the report of the Constitutional Review Commission prepared after extensive consultations with Montserratians both in the Territory and abroad and the consensus that, while Montserratians reserve the right to future self-determination, independence is not a priority given the present socio-economic status of the Territory;

VIII

Pitcairn

Taking into account the unique nature of Pitcairn in terms of population and area,

Welcoming the participation of a representative of the Mayor of Pitcairn in the Caribbean regional seminar at The Valley, Anguilla, from 20 to 22 May 2003, and taking note of the concerns expressed by him with regard to the ongoing court case in the Territory,[134]

Requests the administering Power to continue its assistance for the improvement of the economic, social, educational and other conditions of the population of the Territory and to continue its discussions with the representatives of Pitcairn on how best to support its economic security;

IX

Saint Helena

Taking into account the unique character of Saint Helena, its population and its natural resources,

Aware of the efforts of the administering Power and the territorial authorities to improve the socio-economic conditions of the population of Saint Helena, in particular as regards food production, continuing high unemployment and limited transport and communications,

Noting with concern the problem of unemployment on the island and the joint action of the administering Power and the territorial Government to deal with it,

1. *Welcomes* the acceptance by the administering Power of the majority of the proposals for constitutional change made by the territorial Government;

2. *Requests* the administering Power and relevant international organizations to continue to support the efforts of the territorial Government to address the socio-economic development challenges, including the high unemployment and the limited transport and communications problems;

X

Turks and Caicos Islands

Noting that the People's Democratic Movement was elected to a third consecutive term in the Legislative Council elections held in March 2003,

Also noting the efforts by the Government of the Territory to strengthen financial management in the public sector, including efforts to increase revenue,

Noting with concern the vulnerability of the Territory to drug trafficking and related activities, as well as its problems caused by illegal immigration, and noting the need for continued cooperation between the administering Power and the territorial Government in countering drug trafficking and money-laundering,

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[133] See A/58/23 (Part I), chap. II, annex, para. 24. For the final text, see *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 23*.

[134] See A/58/23 (Part I), chap. II, annex, para. 27. For the final text, see *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 23*.

Noting that the Chief Minister was elected as the chairman of the newly established Overseas Countries and Territories Association of Europe,

1. *Welcomes* the establishment of the Constitutional Review Commission, which embarked on a public education programme on the Constitution, ascertained the views of the population and made recommendations to the administering Power on changes which may be envisaged, pursuant to the recommendations as stated in its White Paper entitled "Partnership for Progress and Prosperity: Britain and the Overseas Territories";[130]

2. *Calls upon* the administering Power and the relevant regional and international organizations to continue to provide assistance for the improvement of the economic, social, educational and other conditions of the population of the Territory;

3. *Calls upon* the administering Power and the territorial Government to continue to cooperate to counter problems related to money-laundering, smuggling of funds and other related crimes, as well as drug trafficking;

XI

United States Virgin Islands

Taking note with interest of the statements made and the information provided by the representative of the Governor of the Territory to the Caribbean regional seminar, held at The Valley, Anguilla, from 20 to 22 May 2003,[135]

Noting the continuing interest of the territorial Government in seeking associate membership in the Organization of Eastern Caribbean States and observer status in the Caribbean Community and the current request by the Territory to the administering Power for the delegation of authority to proceed,

Noting also the expressed interest of the territorial Government to be included in regional programmes of the United Nations Development Programme,

Noting further the necessity of further diversifying the economy of the Territory,

Noting the efforts of the Government of the Territory to promote the Territory as an offshore financial services centre,

Recalling that the Territory has not received a United Nations visiting mission since 1977, and bearing in mind the formal request of the Territory for such a mission in 1993 to assist the Territory in its political education process and to observe the Territory's only referendum on political status options in its history,

Noting that the Territory commemorated its annual British Virgin Islands-United States Virgin Islands Friendship Day on 31 May 2003 in Charlotte Amalie, St. Thomas,

1. *Requests* the administering Power to continue to assist the territorial Government in achieving its political, economic and social goals;

2. *Once again requests* the administering Power to facilitate the participation of the Territory, as appropriate, in various organizations, in particular the Organization of Eastern Caribbean States, the Caribbean Community and the Association of Caribbean States;

3. *Calls* for the inclusion of the Territory in regional programmes of the United Nations Development Programme, consistent with the participation of other Non-Self-Governing Territories;

4. *Notes* the economic difficulties being experienced by the territorial Government and the fiscal austerity measures being implemented, and others proposed, to relieve the Territory's cash flow shortage, and calls upon the administering Power to continue to provide every assistance required by the Territory to further alleviate the difficult economic situation, including, inter alia, the provision of debt relief and loans;

5. *Notes with interest* the entering into force in 2001 of the joint memorandum of cooperation on the exchange of artefacts between the Territory and Denmark, the Territory's former administering Power, as a companion agreement to the 1999 memorandum for the repatriation of archival material from the Danish colonial period, consistent with the Durban Declaration and Programme of Action, adopted by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance on 8 September 2001,[136] and once again requests the United Nations Educational, Scientific and Cultural Organization, under its records and archives management programme, to assist the Territory in carrying out its archival and artefacts initiative;

6. *Notes* the position of the territorial Government, including its articulation in resolution 1609 of 9 April 2001 of the 24th Legislature of the United States Virgin Islands, opposing the assumption by the administering Power of submerged land in territorial waters, having regard to relevant resolutions of the General Assembly on the ownership and control of natural resources, including marine resources, by the people of the Non-Self-Governing Territories, and its calls for

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[135] See A/58/23 (Part I), chap. II, annex, para. 30. For the final text, see *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 23.*

[136] See A/CONF.189/12 and Corr.1, chap. I.

the return of those marine resources to the people of the Territory;

7. *Notes with concern* that the 2000 census figures for the Territory indicate that 32.5 per cent of the population is living in poverty.

RESOLUTION 58/109

Adopted at the 72nd plenary meeting, on 9 December 2003, without a vote, on the recommendation of the Committee (A/58/480, para. 26)[137]

58/109. Question of Western Sahara

The General Assembly,

Having considered in depth the question of Western Sahara,

Reaffirming the inalienable right of all peoples to self-determination and independence, in accordance with the principles set forth in the Charter of the United Nations and General Assembly resolution 1514 (XV) of 14 December 1960 containing the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Recalling its resolution 57/135 of 11 December 2002,

Recalling also all resolutions of the General Assembly and the Security Council on the question of Western Sahara,

Recalling further Security Council resolutions 658 (1990) of 27 June 1990 and 690 (1991) of 29 April 1991, by which the Security Council approved the settlement plan for Western Sahara,[138]

Recalling Security Council resolutions 1359 (2001) of 29 June 2001 and 1429 (2002) of 30 July 2002, as well as resolution 1495 (2003) of 31 July 2003, in which the Council expressed its support of the peace plan for self-determination of the people of Western Sahara[139] as an optimum political solution on the basis of agreement between the two parties,

Taking note of the responses of the parties and neighbouring States to the Personal Envoy of the Secretary-General, concerning the peace plan, contained in the report of the Secretary-General of 23 May 2003,[140]

Reaffirming the responsibility of the United Nations towards the people of Western Sahara,

Noting with satisfaction the entry into force of the ceasefire in accordance with the proposal made by the Secretary-General,[141] and stressing the importance it attaches to the maintenance of the ceasefire as an integral part of the settlement plan,

Underlining, in this regard, the validity of the settlement plan, while noting the fundamental differences between the parties in its implementation,

Stressing that the lack of progress in the settlement of the dispute on Western Sahara continues to cause suffering to the people of Western Sahara, remains a source of potential instability in the region and obstructs the economic development of the Maghreb region and that, in view of this, the search for a political solution is critically needed,

Welcoming the efforts of the Secretary-General and his Personal Envoy in search of a mutually acceptable political solution, which will provide for self-determination of the people of Western Sahara,

Having examined the relevant chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,[142]

Having also examined the report of the Secretary-General,[141]

1. *Takes note* of the report of the Secretary-General;[141]

2. *Underlines* Security Council resolution 1495 (2003), in which the Council expressed its support of the peace plan for self-determination of the people of Western Sahara as an optimum political solution on the basis of agreement between the two parties;

3. *Continues to support strongly* the efforts of the Secretary-General and his Personal Envoy in order to achieve a mutually acceptable political solution to the dispute over Western Sahara;

4. *Commends* the Secretary-General and his Personal Envoy for their outstanding efforts and the two parties for the spirit of cooperation they have shown in the support they provide for those efforts;

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[137] The draft resolution recommended in the report was introduced by the Chairman of the Committee.

[138] See S/21360 and S/22464 and Corr.1.

[139] S/2003/565 and Corr.1, annex II.

[140] S/2003/565 and Corr.1.

[141] See A/58/171.

[142] See A/58/23 (Part II), chap. VIII. For the final text, see *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 23.*

5. *Calls upon* all the parties and the States of the region to cooperate fully with the Secretary-General and his Personal Envoy;

6. *Reaffirms* the responsibility of the United Nations towards the people of Western Sahara;

7. *Calls upon* the parties to cooperate with the International Committee of the Red Cross in its efforts to solve the problem of the fate of the people unaccounted for, and calls upon the parties to abide by their obligations under international humanitarian law to release without further delay all those held since the start of the conflict;

8. *Requests* the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to consider the situation in Western Sahara and to report thereon to the General Assembly at its fifty-ninth session;

9. *Invites* the Secretary-General to submit to the General Assembly at its fifty-ninth session a report on the implementation of the present resolution.

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RESOLUTION 58/197

Adopted at the 78th plenary meeting, on 23 December 2003, without a vote, on the recommendation of the Committee (A/58/481/Add.1, para. 12)[1]

58/197. International trade and development

The General Assembly,

Recalling its resolutions 55/182 of 20 December 2000, 56/178 of 21 December 2001 and 57/235 of 20 December 2002 on international trade and development,

Recalling also the Plan of Action adopted at the tenth session of the United Nations Conference on Trade and Development, held in Bangkok from 12 to 19 February 2000,[2]

Reaffirming the role of the United Nations Conference on Trade and Development as focal point within the United Nations for the integrated treatment of trade and development and the interrelated issues in the areas of finance, technology, investment and sustainable development,

Recalling the provisions of the United Nations Millennium Declaration[3] pertaining to trade and related development issues, as well as the outcomes of the International Conference on Financing for Development, held in Monterrey, Mexico, from 18 to 22 March 2002,[4] and the World Summit on Sustainable Development, held in Johannesburg, South Africa, from 26 August to 4 September 2002,[5]

Recalling also its resolutions 57/250 of 20 December 2002 and 57/270 B of 23 June 2003, in which it invited the United Nations Conference on Trade and Development, as well as the Trade and Development Board, to contribute, within its mandate, to the implementation and to the review of the progress made in the implementation of the outcomes of the major United Nations conferences and summits and invited the President of the Trade and Development Board to present the outcomes of such reviews to the Economic and Social Council,

Taking note of the report of the Meeting of Eminent Persons on Commodity Issues, held in Geneva on 22 and 23 September 2003,[6] and expressing appreciation for the work of the eminent persons,

Recalling that, to benefit fully from trade, which in many cases is the single most important external source of development financing, the establishment and the enhancement of appropriate institutions and policies in developing countries, as well as in countries with economies in transition, are needed and that, in this context, enhanced market access, balanced rules and well-targeted, sustainably financed technical assistance and capacity-building programmes for developing countries also play important roles,

Noting the significant contribution of the multilateral trading system to economic growth, development and employment and the importance of maintaining the process of reform and liberalization of trade policies, as well as the importance of rejecting the use of protectionism, so that the system plays its full part in promoting recovery, growth and development, in particular of developing countries, bearing in mind paragraph 10 of resolution 55/182,

Recognizing with concern that the benefits from global economic prosperity and trade liberalization have not fully accrued to all developing countries,

Recognizing that a number of developing countries have undertaken significant trade and investment liberalization unilaterally, regionally and/or multilaterally, both within and outside the context of structural adjustment programmes,

Reaffirming the urgency, subject to national legislation, of recognizing the rights of local and indigenous communities that are holders of traditional knowledge, innovations and practices and, with the approval and involvement of the holders of such knowledge, innovations and practices, of developing and implementing benefit-sharing mechanisms on mutually-agreed terms for the use of such knowledge, innovations and practices,

Recognizing that countries must take appropriate and necessary security measures, but also underlining the importance of taking these measures in the manner that is least disruptive of normal trade and related practices,

Taking note of the in-depth review undertaken by the Trade and Development Board at its fiftieth session with respect to developments and issues in the post-Doha work programme of particular concern to developing countries, including the outcome of the Fifth Ministerial Conference of the World Trade Organization, held in Cancún, Mexico, from 10 to 14 September 2003,[7] and its contribution to an understanding of the actions required to help developing countries secure beneficial and meaningful integration into the multilateral trading system and the global economy and to achieve a balanced, development-oriented and successful conclusion of the Doha negotiations,

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[1] The draft resolution recommended in the report was introduced by the Vice-Chairman of the Committee.

[2] TD/390, part II.

[3] See resolution 55/2.

[4] *Report of the International Conference on Financing for Development, Monterrey, Mexico, 18–22 March 2002* (United Nations publication, Sales No. E.02.II.A.7), chap. I, resolution 1, annex.

[5] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 1, annex, and resolution 2, annex.

[6] A/58/401.

[7] See A/58/15 (Part V), chap. II, sect. B. For the final text, see *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 15.*

Taking note also of the report of the Trade and Development Board[8] and the report of the Secretary-General,[9]

Noting the proposals made to implement the work programme of the World Trade Organization, including those to liberalize international agricultural and non-agricultural trade,

Underlining the development potential of a balanced outcome of the negotiations under the Doha work programme, which reflects the interests of all World Trade Organization members, particularly the developing countries,

1. *Reaffirms* the great importance of promoting the objectives set out in the United Nations Millennium Declaration[3] of ensuring an open, equitable, rule-based, predictable and non-discriminatory multilateral trading system in pursuit of economic growth and development, fairness and a level playing field as well as human development and poverty eradication goals, and reiterates its commitment to achieving those objectives;

2. *Reiterates* the commitment made at the Fourth Ministerial Conference of the World Trade Organization, held in Doha from 9 to 14 November 2001, to place development at the heart of the Doha work programme and to continue to make positive efforts to ensure that developing countries, especially the least developed among them, secure a share in the growth of world trade commensurate with the needs of their economic development;[10]

3. *Expresses its concern* about the insufficient progress in the Doha negotiations, especially in areas of interest to developing countries, as manifested, inter alia, by missed deadlines in relation to special and differential treatment, implementation-related issues and concerns and modalities for agricultural negotiations;

4. *Also expresses its concern* about the setback at the Fifth Ministerial Conference of the World Trade Organization, and stresses the importance of redoubling efforts in working towards a successful, timely and development-oriented conclusion of the Doha negotiations no later than 1 January 2005 as set out in the Ministerial Declaration of the Fourth Ministerial Conference of the World Trade Organization ("Doha Ministerial Declaration");[11]

5. *Further expresses its concern* about the adverse consequences that the setback of the Fifth Ministerial Conference may have for the multilateral trading system, including a possible surge in protectionist measures;

6. *Expresses its concern* about the adoption of a number of unilateral actions that are not consistent with the rules of the World Trade Organization, harm the exports of all countries, in particular those of developing countries, and have a considerable bearing on the ongoing World Trade Organization negotiations and on the achievement and further enhancement of the development dimension of the trade negotiations;

7. *Considers* that the political will and commitment of World Trade Organization members to address the unresolved questions under the Doha work programme promptly and fully and to focus on the key development issues are essential for bringing the negotiations back on track;

8. *Underscores* the need for concerted political will and efforts to address the challenges of globalization, including by improving market access and market entry for the export products of particular interest to developing countries so that they can benefit more from the globalization process;

9. *Recognizes* that it is important for developing countries and countries with economies in transition to consider reducing trade barriers among themselves;

10. *Stresses* the importance of an open, transparent, inclusive and democratic process and of procedures for the effective functioning of the multilateral trading system that allow for internal transparency and the effective participation of members, including in the decision-making process, and that enable them to have their vital interests duly reflected in the outcome of trade negotiations;

11. *Also stresses* the need to place the interests and concerns of developing countries at the heart of the Doha work programme and to revive faith in it, and, in this regard, calls upon members of the World Trade Organization to engage in negotiations with a renewed sense of urgency and purpose and to redouble their efforts to achieve a successful outcome of the Doha work programme, including on the following issues of particular interest to the developing countries:

(*a*) The expeditious and appropriate resolution of outstanding implementation issues, consistent with paragraph 12 of the Doha Ministerial Declaration;

(*b*) The completion of the review of all provisions relating to special and differential treatment with a view to strengthening them and making them more precise, effective and operational, recognizing the importance of paragraph 12.1 (i) of the decision on implementation-related issues and concerns of 14 November 2001, adopted by the Fourth Ministerial Conference of the World Trade Organization;[12]

(*c*) Substantial improvements in market access, the reduction of, with a view to phasing out, all forms of export subsidies, substantial reductions in trade-distorting domestic support in agriculture and the expeditious adoption of appropriate modalities for reduction commitments in agriculture negotiations, with operationally effective special and differential treatment and non-trade concerns being taken into account, in accordance with paragraphs 13 and 14 of the Doha Ministerial Declaration;

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[8] A/58/15 (Parts I-V). For the final text, see *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 15*.

[9] A/58/414.

[10] See A/C.2/56/7, annex.

[11] Ibid., annex, para. 45.

[12] WT/MIN(01)/17. Available from http://docsonline.wto.org.

(*d*) Abusive application of anti-dumping, sanitary and phytosanitary standards and other trade-distorting measures;

(*e*) The positive consideration of trade-related issues pertaining to the commodity sector in the multilateral trading system;

(*f*) An effective solution to address the problems reflected in the sectoral initiative in favour of cotton proposed by a group of African countries within the context of negotiations on agriculture under the Doha work programme;

(*g*) Negotiations on trade in services conducted with a view to promoting the economic growth of all trading partners and the development of developing countries and the least developed countries, without a priori exclusion of any service sector or mode of supply and with special attention given to sectors and modes of supply of export interest to developing countries, recognizing the work already undertaken in the negotiations and the large number of proposals submitted by members on a wide range of sectors and on several horizontal issues, as well as on the movement of natural persons;

(*h*) Appropriate modalities for reduction or elimination commitments in negotiations on market access for non-agricultural products, as provided for in paragraph 16 of the Doha Ministerial Declaration, in particular on products of export interest to developing countries, and taking into account the special needs and interests of developing and least developed country participants, including through less than full reciprocity in reduction commitments;

(*i*) The review of the Agreement on Trade-related Aspects of Intellectual Property Rights,[13] taking fully into account its development dimension;

(*j*) In accordance with paragraph 16 of the Doha Ministerial Declaration, on market access for non-agricultural products, reduction or elimination of high tariffs, tariff peaks and tariff escalation, as well as non-tariff barriers, on those products, in particular on products of export interest to developing countries;

(*k*) The clarification and improvement of disciplines in the areas of anti-dumping, subsidies and countervailing measures, taking into account the needs of developing countries, including the least developed among them, while preserving the basic concepts, principles and effectiveness of those agreements and their instruments and objectives in non-agricultural market access;

(*l*) The examination, in the context of paragraphs 36 and 37 of the Doha Ministerial Declaration, of the relationship between trade, debt and finance and between trade and transfer of technology, and possible recommendations thereon, taking into account their development dimension;

(*m*) Making the World Trade Organization operations more transparent, including through more effective and prompt dissemination of information;

12. *Recognizes* the crucial role that the expeditious implementation of World Trade Organization agreements and improved World Trade Organization rules, reflective of the development dimension of the Doha Ministerial Declaration, can play with regard to the development opportunities of developing countries and their capacity to integrate into the global economy;

13. *Takes note* of the provisions of the Doha Ministerial Declaration with respect to the relationship between trade and investment, the interaction between trade and competition policy, transparency in government procurement and trade facilitation;

14. *Reaffirms* that agriculture remains a fundamental and key sector for the overwhelming majority of developing countries, and stresses the importance of a successful conclusion of the Doha work programme in this regard;

15. *Also reaffirms* the commitment to the full and faithful implementation of the Agreement on Textiles and Clothing,[13] and calls for further progress in its implementation, which is a necessary and inherent condition of full implementation of the agreements arising from the Uruguay Round of Multilateral Trade Negotiations;

16. *Further reaffirms* that preferences granted to developing countries, pursuant to the "enabling clause",[14] should be generalized, non-reciprocal and non-discriminatory;

17. *Reaffirms* the need for the implementation of paragraph 4 of the Marrakesh Ministerial Decision on Measures Concerning the Possible Negative Effects of the Reform Programme on Least Developed and Net Food-importing Developing Countries;[13]

18. *Welcomes* the decision adopted by the General Council of the World Trade Organization on the implementation of paragraph 6 of the Doha Declaration on the Agreement on Trade-related Aspects of Intellectual Property Rights and Public

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[13] See *Legal Instruments Embodying the Results of the Uruguay Round of Multilateral Trade Negotiations, done at Marrakesh on 15 April 1994* (GATT secretariat publication, Sales No. GATT/1994-7).

[14] Decision of the Contracting Parties of 28 November 1979 (L/4903). Available from http://docsonline.wto.org

Health[15] to address the problems faced by countries with insufficient or no manufacturing capacity in the pharmaceutical sector in accessing medicines at affordable prices when combating serious public health problems afflicting many developing and least developed countries, especially those resulting from HIV/AIDS, tuberculosis, malaria and other epidemics, and invites all members to work towards an expeditious and permanent solution to the issue by, inter alia, amending the Agreement on Trade-related Aspects of Intellectual Property Rights within the agreed time frame, to ensure that the solution will be simple to use, sustainable, predictable and legally secure;

19. *Emphasizes* that bilateral and regional trade arrangements should contribute to the multilateral trading system, and in this context stresses the importance of clarifying and improving disciplines and procedures under the existing provisions of the World Trade Organization applying to regional trade agreements in accordance with paragraph 29 of the Doha Ministerial Declaration, taking into account the implications of those agreements for development, and urges the United Nations Conference on Trade and Development, in accordance with its mandate, to provide technical inputs in this respect;

20. *Reaffirms* the commitments made at the Fourth Ministerial Conference of the World Trade Organization, and at the Third United Nations Conference on the Least Developed Countries, held in Brussels from 14 to 20 May 2001,[16] in this regard calls upon developed countries that have not already done so to work towards the objective of duty-free, quota-free market access for all least developed country exports, and notes that the consideration of proposals for developing countries to contribute to improved market access for the least developed countries would also be helpful;

21. *Welcomes* the approval of the accession of Cambodia and Nepal to the World Trade Organization, stresses the importance of facilitating the accession of all developing countries, in particular the least developed countries, as well as countries with economies in transition, that apply for membership in the World Trade Organization, bearing in mind paragraph 21 of resolution 55/182 and subsequent developments, and calls for the effective and faithful application of the World Trade Organization guidelines on accession of the least developed countries;

22. *Invites* members of the international community to consider the interests of non-members of the World Trade Organization in the context of trade liberalization;

23. *Reaffirms* the commitment to actively pursue the work programme of the World Trade Organization with respect to addressing the trade-related issues and concerns affecting the fuller integration of countries with small, vulnerable economies into the multilateral trading system in a manner commensurate with their special circumstances and in support of their efforts towards sustainable development, in accordance with paragraph 35 of the Doha Ministerial Declaration;

24. *Acknowledges* the seriousness of the concerns expressed in the Almaty Programme of Action adopted at the International Ministerial Conference of Landlocked and Transit Developing Countries and Donor Countries and International Financial and Development Institutions on Transit Transport Cooperation, held in Almaty, Kazakhstan, on 28 and 29 August 2003,[17] and stresses the need for the special problems and needs of landlocked developing countries, including those contained in paragraph 33 of the Programme of Action, as well as other relevant issues contained in the section on international trade and trade facilitation of the Programme of Action, to be effectively addressed by the relevant international organizations and donors in a multi-stakeholder approach;

25. *Notes* the health- and environment-related measures that have an impact on exports, stresses that the adoption or enforcement of any measures necessary to protect human, animal or plant life or health should not be applied in a manner that would constitute arbitrary or unjustified discrimination or a disguised restriction on international trade, and recognizes the importance of capacity-building support to enable developing countries to put in place measures that are appropriate and necessary for meeting standards consistent with those of the World Trade Organization;

26. *Encourages* the United Nations Conference on Trade and Development, the World Trade Organization, the World Bank, the United Nations Industrial Development Organization, the United Nations Development Programme and other relevant international organizations to continue to cooperate on trade-related capacity-building in developing countries, including, as appropriate, under the Integrated Framework for Trade-related Technical Assistance to Least Developed Countries and the Joint Integrated Technical Assistance Programme;

27. *Requests* the United Nations Conference on Trade and Development to continue its work, within its mandate, on trade-related issues and policies, from the development perspective, including its contribution to the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation"),[18] and

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[15] WT/L/540. Available from http://docsonline.wto.org.

[16] See A/CONF.191/13.

[17] *Report of the International Ministerial Conference of Landlocked and Transit Developing Countries and Donor countries and international Financial and Development Institutions on Transit Transport Cooperation, Almaty, Kazakhstan, 28 and 29 August 2003* (A/CONF.202/3), annex I.

[18] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August-4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 2, annex.

notes its work on development benchmarks of the international trading system and trade negotiations;[19]

28. *Reiterates* the importance of supporting United Nations Conference on Trade and Development programmes of technical cooperation and capacity-building that assist developing countries, especially the least developed countries, countries with economies in transition and countries with small and vulnerable economies, in particular those programmes that support their participation in the Doha work programme, in accordance with the technical cooperation strategy of the United Nations Conference on Trade and Development;

29. *Emphasizes* the importance of and invites Member States to support the activities of the United Nations Conference on Trade and Development, and invites donors and other countries in a position to do so to continue to provide the United Nations Conference on Trade and Development with the resources necessary to effectively implement its technical cooperation activities by giving priority to longer-term sustainable activities, particularly through multi-year funding mechanisms and inter-divisional operations based on the thematic priorities set by the United Nations Conference on Trade and Development in its work programme;

30. *Takes note* of the substantive item of the provisional agenda of the eleventh session of the United Nations Conference on Trade and Development,[20] to be held in São Paulo, Brazil, from 13 to 18 June 2004, entitled "Enhancing coherence between national development strategies and global economic processes towards economic growth and development, particularly of developing countries", and in this context stresses the importance of the role and mandate of the United Nations Conference on Trade and Development;

31. *Requests* the Secretary-General of the United Nations, in collaboration with the secretariat of the United Nations Conference on Trade and Development, to report to the General Assembly at its fifty-ninth session on the implementation of the present resolution and on developments in the multilateral trading system under the sub-item entitled "International trade and development".

RESOLUTION 58/198

Adopted at the 78th plenary meeting, on 23 December 2003, on the recommendation of the Committee (A/58/481/Add.1, para. 12),[21] by a recorded vote of 125 to 1, with 37 abstentions, as follows:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chile, China, Comoros, Congo, Costa Rica, Cuba, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, Eritrea, Ethiopia, Fiji, Gabon, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Serbia and Montenegro, Seychelles, Singapore, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Uganda, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: United States of America

Abstaining: Albania, Andorra, Australia, Austria, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Israel, Japan, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Monaco, Norway, Portugal, Republic of Korea, Republic of Moldova, San Marino, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine

58/198. Unilateral economic measures as a means of political and economic coercion against developing countries

The General Assembly,

Recalling the relevant principles set forth in the Charter of the United Nations,

Reaffirming the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations,[22] which states, inter alia, that no State may use or encourage the use of unilateral economic, political or any other type of measures to coerce another State in order to obtain from it the subordination of the exercise of its sovereign rights,

Bearing in mind the general principles governing the international trading system and trade policies for development contained in relevant resolutions, rules and provisions of the United Nations and the World Trade Organization,

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[19] See TD/B/50/8, sect. III.

[20] A/58/15 (Part V), annex II. For the final text, see *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 15.*

[21] The draft resolution recommended in the report was sponsored in the Committee by Morocco (on behalf of the States Members of the United Nations that are members of the Group of 77 and China).

[22] Resolution 2625 (XXV), annex.

Recalling its resolutions 44/215 of 22 December 1989, 46/210 of 20 December 1991, 48/168 of 21 December 1993, 50/96 of 20 December 1995, 52/181 of 18 December 1997, 54/200 of 22 December 1999 and 56/179 of 21 December 2001,

Gravely concerned that the use of unilateral coercive economic measures adversely affects the economy and development efforts of developing countries in particular and has a general negative impact on international economic cooperation and on worldwide efforts to move towards a non-discriminatory and open multilateral trading system,

1. *Takes note* of the report of the Secretary-General;[23]

2. *Urges* the international community to adopt urgent and effective measures to eliminate the use of unilateral coercive economic measures against developing countries that are not authorized by relevant organs of the United Nations or are inconsistent with the principles of international law as set forth in the Charter of the United Nations and that contravene the basic principles of the multilateral trading system;

3. *Requests* the Secretary-General to continue to monitor the imposition of measures of this nature and to study the impact of such measures on the affected countries, including the impact on trade and development;

4. *Also requests* the Secretary-General to submit to the General Assembly at its sixtieth session a report on the implementation of the present resolution.

RESOLUTION 58/199

Adopted at the 78th plenary meeting, on 23 December 2003, without a vote, on the recommendation of the Committee (A/58/481/Add.2, para. 14)[24]

58/199. Creation of a global culture of cybersecurity and the protection of critical information infrastructures

The General Assembly,

Recalling its resolutions 57/239 of 20 December 2002 on the creation of a global culture of cybersecurity, 55/63 of 4 December 2000 and 56/121 of 19 December 2001 on establishing the legal basis for combating the criminal misuse of information technologies, and 53/70 of 4 December 1998, 54/49 of 1 December 1999, 55/28 of 20 November 2000, 56/19 of 29 November 2001 and 57/53 of 22 November 2002 on developments in the field of information and telecommunications in the context of international security,

Recognizing the growing importance of information technologies for the promotion of socio-economic development and the provision of essential goods and services, the conduct of business and the exchange of information for Governments, businesses, other organizations and individual users,

Noting the increasing links among most countries' critical infrastructures – such as those used for, inter alia, the generation, transmission and distribution of energy, air and maritime transport, banking and financial services, e-commerce, water supply, food distribution and public health – and the critical information infrastructures that increasingly interconnect and affect their operations,

Recognizing that each country will determine its own critical information infrastructures,

Recognizing also that this growing technological interdependence relies on a complex network of critical information infrastructure components,

Noting that, as a result of increasing interconnectivity, critical information infrastructures are now exposed to a growing number and a wider variety of threats and vulnerabilities that raise new security concerns,

Noting also that effective critical infrastructure protection includes, inter alia, identifying threats to and reducing the vulnerability of critical information infrastructures, minimizing damage and recovery time in the event of damage or attack, and identifying the cause of damage or the source of attack,

Recognizing that effective protection requires communication and cooperation nationally and internationally among all stakeholders and that national efforts should be supported by effective, substantive international and regional cooperation among stakeholders,

Recognizing also that gaps in access to and the use of information technologies by States can diminish the effectiveness of cooperation in combating the criminal misuse of information technology and in creating a global culture of cybersecurity, and noting the need to facilitate the transfer of information technologies, in particular to developing countries,

Recognizing further the importance of international cooperation for achieving cybersecurity and the protection of critical information infrastructures through the support of national efforts aimed at the enhancement of human capacity, increased learning and employment opportunities, improved public services and better quality of life by taking advantage of advanced, reliable and secure information and communication technologies and networks and by promoting universal access,

Noting the work of relevant international and regional organizations on enhancing the security of critical information infrastructures,

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[23] A/58/301.

[24] The draft resolution recommended in the report was introduced by the Vice-Chairman of the Committee.

Recognizing that efforts to protect critical information infrastructures should be undertaken with due regard for applicable national laws concerning privacy protection and other relevant legislation,

1. *Takes note* of the elements set out in the annex to the present resolution for protecting critical information infrastructures;

2. *Invites* all relevant international organizations, including relevant United Nations bodies, to consider, as appropriate, inter alia, these elements for protecting critical information infrastructures in any future work on cybersecurity or critical infrastructure protection;

3. *Invites* Member States to consider, inter alia, these elements in developing their strategies for reducing risks to critical information infrastructures, in accordance with national laws and regulations;

4. *Invites* Member States and all relevant international organizations to take, inter alia, these elements and the need for critical information infrastructure protection into account in their preparations for the second phase of the World Summit on the Information Society, to be held in Tunis from 16 to 18 November 2005;

5. *Encourages* Member States and relevant regional and international organizations that have developed strategies to deal with cybersecurity and the protection of critical information infrastructures to share their best practices and measures that could assist other Member States in their efforts to facilitate the achievement of cybersecurity;

6. *Stresses* the necessity for enhanced efforts to close the digital divide, to achieve universal access to information and communication technologies and to protect critical information infrastructures by facilitating the transfer of information technology and capacity-building, in particular to developing countries, especially the least developed countries, so that all States may benefit fully from information and communication technologies for their socio-economic development.

Annex

Elements for protecting critical information infrastructures

1. Have emergency warning networks regarding cyber-vulnerabilities, threats and incidents.

2. Raise awareness to facilitate stakeholders' understanding of the nature and extent of their critical information infrastructures and the role each must play in protecting them.

3. Examine infrastructures and identify interdependencies among them, thereby enhancing the protection of such infrastructures.

4. Promote partnerships among stakeholders, both public and private, to share and analyse critical infrastructure information in order to prevent, investigate and respond to damage to or attacks on such infrastructures.

5. Create and maintain crisis communication networks and test them to ensure that they will remain secure and stable in emergency situations.

6. Ensure that data availability policies take into account the need to protect critical information infrastructures.

7. Facilitate the tracing of attacks on critical information infrastructures and, where appropriate, the disclosure of tracing information to other States.

8. Conduct training and exercises to enhance response capabilities and to test continuity and contingency plans in the event of an information infrastructure attack, and encourage stakeholders to engage in similar activities.

9. Have adequate substantive and procedural laws and trained personnel to enable States to investigate and prosecute attacks on critical information infrastructures and to coordinate such investigations with other States, as appropriate.

10. Engage in international cooperation, when appropriate, to secure critical information infrastructures, including by developing and coordinating emergency warning systems, sharing and analysing information regarding vulnerabilities, threats and incidents and coordinating investigations of attacks on such infrastructures in accordance with domestic laws.

11. Promote national and international research and development and encourage the application of security technologies that meet international standards.

RESOLUTION 58/200

Adopted at the 78th plenary meeting, on 23 December 2003, without a vote, on the recommendation of the Committee (A/58/481/Add.2, para. 14)[25]

58/200. Science and technology for development

The General Assembly,

Recognizing the role that international cooperation on science and technology can play in addressing the technological gap and the digital divide between the North and the South,

Recognizing also the importance of North-South as well as South-South cooperation in the field of science and technology,

Recognizing further the vital role of new and emerging technologies in raising the productivity and competitiveness of nations and the need, inter alia, for capacity-building, measures promoting the transfer and diffusion of technologies to developing countries, and the promotion of private sector activities and public awareness of science and technology,

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[25] The draft resolution recommended in the report was introduced by the Vice-Chairman of the Committee.

Reaffirming the need to enhance the science and technology activities of the organizations of the United Nations system and the role of the Commission on Science and Technology for Development in providing policy guidance, in particular on issues of relevance to developing countries,

Recognizing the role of information and communication technologies in promoting development as an important step towards addressing the challenges of bridging the digital divide, and in this regard welcoming the convening of the first phase of the World Summit on the Information Society, held in Geneva from 10 to 12 December 2003, and its second phase, to be held in Tunis from 16 to 18 November 2005,

Welcoming the Commission's selection of the substantive theme "Promoting the application of science and technology to meet the development goals contained in the United Nations Millennium Declaration", for its work during the intersessional period 2003-2004, as welcomed by the Economic and Social Council in its resolution 2003/56 of 24 July 2003,

Noting with appreciation the Commission's work during its intersessional period 2001-2003 on its theme "Technology development and capacity-building for competitiveness in a digital society", in particular the information and communication technologies development indices, which serve as an important contribution to the preparation of the World Summit on the Information Society,

Taking note of the report of the Secretary-General on the impact of new biotechnologies, with particular attention to sustainable development, including food security, health and economic productivity,[26]

Taking note also of Economic and Social Council resolution 2003/56, in which the Council invited the Commission to interact closely with the Information and Communication Technologies Task Force to promote greater information exchange and coordination of activities in the field of information and communication technologies in order to contribute to the World Summit on the Information Society,

1. *Urges* the relevant bodies of the United Nations system engaged in biotechnology to work cooperatively so as to ensure that countries receive sound scientific information and practical advice to enable them to take advantage of these technologies, as appropriate, to promote economic growth and development;

2. *Takes note* of the proposal of the Secretary-General for an integrated framework for biotechnology development within the United Nations system, as contained in his report,[26] and requests him to report further on the status of coordination between the relevant organizations and bodies of the United Nations system with a view to strengthening the coordination of activities in the area of biotechnology, in particular in the promotion of biotechnology within the United Nations system;

3. *Also takes note* of the publication entitled *Information and Communication Technology Development Indices*,[27] and invites the United Nations Conference on Trade and Development in collaboration with the Information and Communication Technologies Task Force and the International Telecommunication Union, to update that publication as part of its contribution to the World Summit on the Information Society, recalling General Assembly resolution 56/183 of 21 December 2001, in which the Assembly encouraged effective contributions from and the active participation of all relevant United Nations bodies;

4. *Calls upon* the Secretary-General to continue to ensure that the Commission and its secretariat within the United Nations Conference on Trade and Development are provided with the necessary resources to enable the Commission to better carry out its mandate;

5. *Requests* the Secretary-General to submit to the General Assembly at its sixtieth session a report on the implementation of the present resolution.

RESOLUTION 58/201

Adopted at the 78th plenary meeting, on 23 December 2003, without a vote, on the recommendation of the Committee (A/58/481/Add.3, para. 8)[28]

58/201. Almaty Programme of Action: Addressing the Special Needs of Landlocked Developing Countries within a New Global Framework for Transit Transport Cooperation for Landlocked and Transit Developing Countries

The General Assembly,

Recalling its resolution 56/180 of 21 December 2001, in which it requested the Secretary-General to convene in 2003 the international ministerial meeting now known as the International Ministerial Conference of Landlocked and Transit Developing Countries and Donor Countries and International Financial and Development Institutions on Transit Transport Cooperation, as well as its resolution 57/242 of 20 December 2002,

1. *Takes note* of the report of the Secretary-General on the outcome of the International Ministerial Conference of

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[26] A/58/76.

[27] United Nations publication, Sales No. E.03.II.D.14.

[28] The draft resolution recommended in the report was introduced by the Vice-Chairman of the Committee.

Landlocked and Transit Developing Countries and Donor Countries and International Financial and Development Institutions on Transit Transport Cooperation;[29]

2. *Expresses its deep appreciation* to the Government of Kazakhstan for hosting the International Ministerial Conference in Almaty on 28 and 29 August 2003;

3. *Endorses* the Almaty Programme of Action: Addressing the Special Needs of Landlocked Developing Countries within a New Global Framework for Transit Transport Cooperation for Landlocked and Transit Developing Countries[30] and the Almaty Declaration,[31] adopted by the International Ministerial Conference;

4. *Calls* for full and effective implementation of the Almaty Programme of Action;

5. *Decides* to include in the provisional agenda of its fifty-ninth session an item entitled "Specific actions related to the particular needs and problems of landlocked developing countries: outcome of the International Ministerial Conference of Landlocked and Transit Developing Countries and Donor Countries and International Financial and Development Institutions on Transit Transport Cooperation";

6. *Requests* the Secretary-General to submit to the General Assembly at its fifty-ninth session a report on the progress made in the implementation of the Almaty Programme of Action.

RESOLUTION 58/202

Adopted at the 78th plenary meeting, on 23 December 2003, without a vote, on the recommendation of the Committee (A/58/481/Add.4, para. 7)[32]

58/202. International financial system and development

The General Assembly,

Recalling its resolutions 55/186 of 20 December 2000 and 56/181 of 21 December 2001, both entitled "Towards a strengthened and stable international financial architecture responsive to the priorities of growth and development, especially in developing countries, and to the promotion of economic and social equity", as well as its resolution 57/241 of 20 December 2002,

Recalling also the United Nations Millennium Declaration adopted by the heads of State and Government on 8 September 2000,[33] its resolution 56/210 B of 9 July 2002, in which it endorsed the Monterrey Consensus of the International Conference on Financing for Development,[34] and the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation"), adopted on 4 September 2002,[35]

Emphasizing that the international financial system should support sustainable development, sustained economic growth and poverty reduction while allowing for the coherent mobilization of all sources of financing for development, including the mobilization of domestic resources, international investment flows, official development assistance, external debt relief and an open, equitable, rule-based, predictable and non-discriminatory global trading system,

Reiterating that success in meeting the objectives of development and poverty eradication depends on good governance within each country and at the international level, and stressing that sound economic policies, solid democratic institutions responsive to the needs of the people and improved infrastructure are the basis for sustained economic growth, poverty eradication and employment creation,

Reiterating also the need to strengthen the leadership role of the United Nations in promoting development,

Welcoming the growing interaction between the United Nations and the international financial and trade institutions, consistent with the relevant provisions of the Charter of the United Nations and in accordance with related agreements,[36]

Encouraging further progress on the issue of participation of developing countries in international economic decision-making and norm-setting processes, including those of the Bretton Woods institutions and other economic and financial institutions and ad hoc groupings, while welcoming the steps that have been taken with a view to strengthening the capacity of developing countries to participate effectively in the international financial institutions,

Recognizing the urgent need to enhance the coherence, governance and consistency of the international monetary, financial and trading systems, and the importance of ensuring their openness, fairness and inclusiveness in order to complement national development efforts to ensure sustained economic growth and the achievement of the internationally agreed development goals, including those contained in the Millennium Declaration,

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[29] A/58/388.

[30] *Report of the International Ministerial Conference of Landlocked and Transit Developing Countries and Donor countries and international Financial and Development Institutions on Transit Transport Cooperation, Almaty, Kazakhstan, 28 and 29 August 2003* (A/CONF.202/3), annex I.

[31] Ibid., annex II.

[32] The draft resolution recommended in the report was introduced by the Vice-Chairman of the Committee.

[33] See resolution 55/2.

[34] *Report of the International Conference on Financing for Development, Monterrey, Mexico, 18–22 March 2002* (United Nations publication, Sales No. E.02.II.A.7), chap. I, resolution 1, annex.

[35] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 2, annex.

[36] Related agreements include the agreements of 15 April 1948 between the United Nations and the International Monetary Fund (United Nations, *Treaty Series*, vol. 16, No. 108) and the United Nations and the International Bank for Reconstruction and Development (ibid., vol. 16, No. 109).

1. *Takes note* of the report of the Secretary-General;[37]

2. *Recognizes* the increasing initial signs that economic activity is gradually strengthening in many economies, while noting with concern the unevenness of the recovery of the global economy, which challenges efforts of developing countries to eradicate poverty and ensure sustained economic growth, and stresses the importance of cooperative efforts by all countries and institutions to cope with risks of financial instability and ensure a strong and steady recovery;

3. *Invites* developed countries, in particular major industrialized economies, to take into account the effect of their macroeconomic policies on international growth and development;

4. *Recognizes* the concern about the fact that in 2002 developing countries as a whole made net outward transfers of financial resources for the sixth consecutive year, and underscores the need for measures, as appropriate, at the national and international levels to address this issue, while taking note of the efforts that have been made thus far to this end and of the fact that for some developing countries those transfers, at the present time, indicate positive developments in the trade balance, which are required, inter alia, for debt repayment and which allow for the purchase of foreign assets;

5. *Underlines* the importance of adopting effective measures, including new financial mechanisms, as appropriate, to support the efforts of developing countries to achieve sustained economic growth, sustainable development, poverty reduction and the strengthening of their democratic systems, while reaffirming that each country has primary responsibility for its own economic and social development and that national policies have the leading role in the development process;

6. *Stresses* the importance of strong domestic institutions to promote business activities and financial stability for the achievement of growth and development, inter alia, through sound macroeconomic policies and policies aimed at strengthening the regulatory systems of the corporate, financial and banking sectors, and also stresses that international cooperation initiatives in those areas should encourage flows of capital to developing countries;

7. *Underlines* the importance of promoting international financial stability and sustainable growth, and welcomes the efforts undertaken to this end by the International Monetary Fund and the Financial Stability Forum, as well as the International Monetary and Financial Committee's consideration of ways to sharpen tools designed to promote international financial stability and enhance crisis prevention, including through an even-handed implementation of surveillance and a sharpening of surveillance on capital markets and systemically and regionally important countries, with a view, inter alia, to early identification of problems and risks and the fostering of appropriate policy responses; the provision of adequate precautionary support to deal with external crises; and further improvements in the transparency of macroeconomic data and statistical information on international capital flows;

8. *Reiterates* in this regard that measures to mitigate the impact of excessive volatility of short-term capital flows and to improve transparency of and information about financial flows are important and must be considered;

9. *Notes* the impact of financial crises and risks of contagion on developing countries and countries with economies in transition, regardless of their size, and underlines the need to ensure that the international financial institutions, including the International Monetary Fund, have a suitable array of financial facilities and resources to respond in a timely and appropriate way, in accordance with their policies, to such crises;

10. *Notes also* the importance of advancing current efforts to reform the international financial architecture, as envisaged in the Monterrey Consensus,[34] emphasizes that those efforts need to include the effective participation of developing countries and countries with economies in transition, and in this regard encourages the International Monetary Fund and the World Bank to continue examining the issues of the voice and effective participation of those countries, as provided for in the communiqués of the International Monetary and Financial Committee and the Development Committee at their last meetings, held in Dubai, United Arab Emirates, on 21 and 22 September 2003, and looks forward to the consideration of a road map on the issue at their next meeting, in April 2004;

11. *Welcomes* the ongoing work of the International Monetary Fund on quotas, and notes the conclusion of the Fund's Twelfth General Review of Quotas, the report on which indicated the adequacy of the current level of Fund resources and the intention of the Executive Board, during the period of the Thirteenth General Review, to monitor closely and assess the adequacy of Fund resources, to consider measures to achieve a distribution of quotas that reflects developments in the world economy and to consider measures to strengthen the governance of the Fund;

12. *Emphasizes* that it is essential to ensure the effective and equitable participation of developing countries in the formulation of financial standards and codes, and underscores the need to ensure their implementation, on a voluntary and progressive basis, as a contribution to reducing vulnerability to financial crisis and contagion;

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[37] A/58/369.

13. *Invites* the multilateral and regional development banks and development funds to continue to play a vital role in serving the development needs of developing countries and countries with economies in transition, including through coordinated action, as appropriate, and stresses that strengthened regional development banks and subregional financial institutions add flexible financial support to national and regional development efforts, enhancing their ownership and overall efficiency, and are an essential source of knowledge and expertise for their developing country members;

14. *Calls upon* multilateral financial institutions, in providing policy advice and financial support to member countries, to work on the basis of nationally-owned reform and development strategies, to pay due regard to the special needs and implementing capacities of developing countries and countries with economies in transition and to minimize the negative impacts of the adjustment programmes on the vulnerable segments of society, while taking into account the importance of gender-sensitive employment and poverty eradication policies and strategies;

15. *Reiterates* the importance of the orderly resolution of sovereign debt crises, notes the increasing voluntary use of collective action clauses in international sovereign bonds, and takes note of the efforts led by sovereign debtors and private creditors to develop a voluntary code of conduct for the resolution of sovereign debt crises;

16. *Encourages* the efforts, including those of the Bretton Woods institutions, to improve the assessment of debt sustainability in low- and middle-income countries through, inter alia, the development of better tools to deal with exogenous shocks and the need to take country-specific factors into account;

17. *Also encourages* the consideration of proposals to generate innovative public and private mechanisms for financing development, without unduly burdening developing countries, and the study, in the appropriate forums, of the results of the analysis requested from the Secretary-General on possible innovative sources of finance, taking note of the proposal to use special drawing rights allocations for development purposes, bearing in mind that any assessment of special drawing rights allocations must respect the Articles of Agreement of the International Monetary Fund and the established rules of procedure of the Fund, which requires taking into account the global need for liquidity at the international level;

18. *Requests* the Secretary-General to report to the General Assembly at its fifty-ninth session on the implementation of the present resolution;

19. *Decides* to include in the provisional agenda of its fifty-ninth session, under the item entitled "Macroeconomic policy questions", the sub-item entitled "International financial system and development".

RESOLUTION 58/203

Adopted at the 78th plenary meeting, on 23 December 2003, without a vote, on the recommendation of the Committee (A/58/481/Add.5, para. 7)[38]

58/203. External debt crisis and development

The General Assembly,

Recalling its resolutions 51/164 of 16 December 1996, 52/185 of 18 December 1997, 53/175 of 15 December 1998, 54/202 of 22 December 1999, 55/184 of 20 December 2000, 56/184 of 21 December 2001 and 57/240 of 20 December 2002 on enhancing international cooperation towards a durable solution to the external debt problems of developing countries,

Recalling also the United Nations Millennium Declaration adopted by heads of State and Government on 8 September 2000,[39]

Reaffirming the Monterrey Consensus of the International Conference on Financing for Development,[40] which recognizes sustainable debt financing as an important element for mobilizing resources for public and private investment,

Recalling its resolution 57/270 B of 23 June 2003 on the integrated and coordinated implementation of and follow-up to the outcomes of the major United Nations conferences and summits in the economic and social fields,

Concerned that the current global economic recovery is uneven but determined to ensure that it leads to sustained world economic growth, to sustainable development and to a durable solution of the external debt problems of developing countries,

Noting in this regard that the total debt stock of the developing countries rose from 1,421.6 billion dollars in 1990 to 2,384.2 billion dollars in 2002,

Noting with great concern that the continuing debt and debt-servicing problems of the heavily indebted poor developing countries constitute one of the many elements that adversely affect their sustainable development efforts, and bearing in mind their impact on the achievement of the internationally agreed development goals, including those contained in the Millennium Declaration,

Noting with concern the fact that some highly indebted, low- and middle-income developing countries continue to face serious difficulties in meeting their external debt-servicing obligations, which constitutes an element that seriously constrains their efforts to ensure sustained economic growth and sustainable development,

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[38] The draft resolution recommended in the report was introduced by the Vice-Chairman of the Committee.

[39] See resolution 55/2.

[40] *Report of the International Conference on Financing for Development, Monterrey, Mexico, 18–22 March 2002* (United Nations publication, Sales No. E.02.II.A.7), chap. I, resolution 1, annex.

Noting that, in 2002, developing countries as a whole made net outward transfers of financial resources for the sixth consecutive year, and underscoring the need for measures, as appropriate, at the national and international levels to address this issue to enhance the prospects for debt sustainability, while noting also the fact that for some developing countries those transfers, at the present time, indicate positive developments in the trade balance, and were required, inter alia, for debt repayment,

Convinced that enhanced market access for goods and services of export interest to developing countries contributes significantly to debt sustainability in developing countries,

Welcoming the positive impact of the enhanced Heavily Indebted Poor Countries Initiative, while recognizing that significant challenges remain, and inviting all developed bilateral creditors to forgive on a unilateral basis up to 100 per cent of all remaining claims after HIPC debt relief,

Welcoming also the actions taken by creditor countries within the framework of the Paris Club and by some creditor countries through the cancellation of bilateral debts, urging all creditor countries to participate in efforts to remedy the external debt and debt-servicing problems of developing countries, and noting the Evian Approach of the Paris Club of October 2003 and that debt relief does not replace alternative sources of financing,

Emphasizing the important role that private sector creditors play in debt relief and debt sustainability,

Welcoming the call in the communiqué issued by the joint International Monetary Fund/World Bank Development Committee on 22 September 2003 in Dubai, United Arab Emirates, urging all official and commercial creditors to participate in the Heavily Indebted Poor Countries Initiative,

Recognizing the current debate on sovereign debt restructuring, especially the efforts led by sovereign debtors and private creditors to develop a voluntary code of conduct, and stressing that modalities for sovereign debt restructuring should be voluntary, market-friendly and flexible, with due consideration of the specific circumstances of individual countries, and should result from the participation of all relevant stakeholders,

Noting the increasing voluntary use of collective action clauses in sovereign bond contracts by both developing and developed countries,

1. *Takes note* of the report of the Secretary-General;[41]

2. *Reaffirms* the determination, as expressed in the United Nations Millennium Declaration,[illegible] to deal comprehensively and effectively with the debt problems of low- and middle-income developing countries, through various national and international measures designed to make their debt sustainable in the long term;

3. *Emphasizes* that the international financial system, along with enhanced official and private external financing and foreign direct investment, are key elements for a durable solution to the external debt problems of developing countries;

4. *Stresses* that sustainable debt financing is an important element for mobilizing resources for public and private investment, and that national comprehensive strategies to monitor and manage the external liabilities embedded in the domestic preconditions for debt sustainability, including sound macroeconomic policies and public resource management, are a key element in reducing national vulnerabilities;

5. *Welcomes* the World Trade Organization Working Group on Trade, Debt and Finance and its mandate to examine the relationship between trade, debt and finance so as to enhance the capacity of the multilateral trading system to contribute to a durable solution to the problem of external indebtedness of the developing and least developed countries, and to strengthen the coherence of international trade and financial policies, with a view to safeguarding the multilateral trading system from the effects of financial and monetary instability, and takes note of its report of 11 July 2003 to the General Council of the World Trade Organization;[42]

6. *Recognizes* that creditors and debtors must share the responsibility for preventing and resolving unsustainable debt situations and that debt relief can play a key role in liberating resources that should be directed towards activities consistent with attaining poverty eradication, sustainable economic growth and sustainable development and with the achievement of the internationally agreed development goals, including those contained in the Millennium Declaration, and in this regard urges countries to direct those resources freed through debt relief, in particular through debt cancellation and reduction, towards these objectives;

7. *Stresses* that debt sustainability depends upon a confluence of many factors at the international and national levels, underscores that no single indicator should be used to make definitive judgements about debt sustainability, and emphasizes that country circumstances should be taken into account;

8. *Recalls* the call upon industrialized countries, as expressed in the Millennium Declaration, to implement the enhanced programme of debt relief for the heavily indebted

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[41] A/58/290.

[42] WT/WGTDF/2. Available from http://docsonline.wto.org.

poor countries without further delay and to agree to cancel all official bilateral debts of those countries in return for their making demonstrable commitments to poverty reduction, and in this regard welcomes the decision of those countries that have already taken action to do so, emphasizing that debt relief complementary to the framework should be treated as additional;

9. *Calls upon* those heavily indebted poor countries that have not already done so, to take, as soon as possible, the policy measures necessary to become eligible for the enhanced Heavily Indebted Poor Countries Initiative and to reach the decision point, inter alia, through the formulation of poverty reduction strategies, where they exist;

10. *Stresses* the need to pursue, where appropriate, debt relief measures vigorously and expeditiously, by all creditors, including within the Paris and London Clubs and other relevant forums, and welcomes other bilateral initiatives that have been undertaken to reduce outstanding indebtedness, so as to contribute to debt sustainability and facilitate sustainable development;

11. *Calls upon* the international community, including the United Nations system, and invites the Bretton Woods institutions as well as the private sector to take appropriate measures and actions for the implementation of the commitments, agreements and decisions of the major United Nations conferences and summits, in particular those relating to the question of the external debt problem of developing countries, and in this regard stresses the need:

(*a*) To implement speedily, effectively and fully the enhanced Heavily Indebted Poor Countries Initiative, which should be fully financed through additional resources, while stressing the need for fair, equitable and transparent burden-sharing among the international public creditor community and other donor countries, and take into consideration, as appropriate, measures to address any fundamental changes in the economic circumstances of those developing countries that have an unsustainable debt burden, including those caused by natural catastrophes, severe terms-of-trade shocks or conflict, taking into account initiatives that have been undertaken to reduce outstanding indebtedness;

(*b*) To continue to bring about a sustained commitment on the part of the heavily indebted poor countries to improvements in domestic policies and economic management, to support capacity-building for the management of financial assets and liabilities, to ensure full participation and delivery of relief by all affected creditors, to ensure adequate and sufficiently concessional financing by international financing institutions and the donor community, and to further explore options to address the difficult issues of HIPC-to-HIPC debt relief and creditor litigation;

(*c*) To continue to bring together international debtors and creditors in relevant international forums to restructure unsustainable debt in a timely and efficient manner, taking into account the need to involve the private sector in the resolution of crises;

(*d*) To acknowledge the problems of the debt sustainability of some low-income countries that are not heavily indebted, in particular those facing exceptional circumstances, and in this regard to note the tailored treatment for non-HIPC developing debtor countries adopted by the Paris Club to ensure that debt restructuring provides non-HIPC debtor countries with a debt treatment that reflects their financial needs and the objective of ensuring long-lasting debt sustainability;

(*e*) To reduce the unsustainable debt burden of developing countries through such actions as debt relief and, as appropriate, debt cancellation and other innovative mechanisms geared to comprehensively addressing the debt problems of developing countries, in particular the poorest and most heavily indebted ones;

(*f*) To encourage exploring innovative mechanisms to comprehensively address the debt problems of developing countries, including middle-income countries, and countries with economies in transition; such mechanisms may include debt-for-sustainable-development swaps, or multi-creditor debt swap arrangements, as appropriate;

(*g*) To establish effective debt-tracking mechanisms in developing countries and strengthen technical assistance for external debt management and debt tracking, including through enhanced cooperation and coordination between organizations providing assistance in this regard;

(*h*) To take steps to ensure that resources provided for debt relief do not detract from official development assistance resources intended to be available for developing countries and that the debt-relief arrangements seek to avoid imposing any unfair burden on other developing countries;

(*i*) To welcome consideration by all relevant stakeholders of an international debt-work-out mechanism, in the appropriate forums, the adoption of which should not preclude emergency financing in times of crisis, to promote fair burden-sharing and minimize moral hazard, which will engage debtors and creditors to come together to restructure unsustainable debts in a timely and efficient manner;

(*j*) To establish a set of clear principles for the management and resolution of financial crises that provide for fair burden-sharing between the public and private sectors and among debtors, creditors and investors, while recognizing that a flexible mix of instruments is needed to respond appropriately to the varying economic circumstances and capacities of different countries;

12. *Stresses* the importance of continued flexibility with regard to the eligibility criteria for the enhanced Heavily Indebted Poor Countries Initiative, in particular for countries in post-conflict situations, and the need to keep the computational

procedures and assumptions underlying debt sustainability analysis under review;

13. *Emphasizes* the need to help to bring about initial recovery in heavily indebted poor post-conflict countries, in coordination with the international financial institutions, to help clear, as appropriate, the arrears of those countries vis-à-vis international financial institutions;

14. *Reaffirms* that reviews of debt sustainability should also bear in mind the impact of debt relief on progress towards the achievement of the development goals set out in the Millennium Declaration and the fact that debt sustainability analysis at the completion point needs to take into account any change in the global growth prospects or in the terms of trade, especially for commodity export developing countries;

15. *Notes* that it is important for the International Monetary Fund and the World Bank to continue their efforts to strengthen the transparency and integrity of debt sustainability analysis and to consider any fundamental changes in countries' debt sustainability caused by natural catastrophes, severe terms-of-trade shocks or conflict when making policy recommendations, including for debt relief, as appropriate;

16. *Stresses* the need to strengthen the institutional capacity of developing countries in debt management, calls upon the international community to support the efforts made towards this end, and in this regard stresses the importance of such initiatives as the Debt Management and Financial Analysis System,[43] the International Monetary Fund and World Bank guidelines for public debt management,[44] and the debt-management capacity-building programme;

17. *Invites* the United Nations Conference on Trade and Development, the International Monetary Fund and the World Bank, in cooperation with the regional banks, regional commissions and multilateral institutions, to study the possibility of creating a consultative group on external debt management aimed at developing best practices and strengthening the institutional capacity of developing countries in debt management, taking into account work that has already been done;

18. *Requests* the Secretary-General to submit to the General Assembly at its fifty-ninth session a report on the implementation of the present resolution and to include in that report a comprehensive and substantive analysis of the external debt and debt-servicing problems of developing countries, inter alia, those resulting from global financial instability;

19. *Decides* to include in the provisional agenda of its fifty-ninth session, under the item entitled "Macroeconomic policy questions", the sub-item entitled "External debt crisis and development".

RESOLUTION 58/204

Adopted at the 78th plenary meeting, on 23 December 2003, without a vote, on the recommendation of the Committee (A/58/481/Add.6, para. 8)[45]

58/204. Commodities

The General Assembly,

Recalling its resolution 57/236 of 20 December 2002, and stressing the urgent need to ensure its full implementation,

Recalling also the United Nations Millennium Declaration adopted by heads of State and Government on 8 September 2000,[46]

Taking note of the Programme of Action for the Least Developed Countries for the Decade 2001–2010[47] and the *Least Developed Countries Report, 2002*,[48]

Taking note also of the Ministerial Declaration of the Fourth Ministerial Conference of the World Trade Organization, held at Doha from 9 to 14 November 2001,[49]

Taking note further of the Monterrey Consensus of the International Conference on Financing for Development,[50]

Taking note of the targets set out in the Rome Declaration on World Food Security and the Plan of Action of the World Food Summit[51] and the outcome document of the World Food Summit: five years later,[52] which reaffirms the pledge to end hunger,

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[43] The Debt Management and Financial Analysis System is a computerized system developed by the United Nations Conference on Trade and Development to assist developing countries and countries with economies in transition to develop appropriate administrative, institutional and legal structures for effective foreign and domestic public debt management. By December 2002, the system had been installed in the debt offices of sixty countries in Africa, Asia, Europe and Latin America and the Caribbean.

[44] Available from www.imf.org/external/np/mae/pdebt/2000/eng.

[45] The draft resolution recommended in the report was introduced by the Vice-Chairman of the Committee.

[46] See resolution 55/2.

[47] See A/CONF.191/13, chap. II.

[48] United Nations publication, Sales No. E.02.II.D.13.

[49] See A/C.2/56/7, annex.

[50] *Report of the International Conference on Financing for Development, Monterrey, Mexico, 18–22 March 2002* (United Nations publication, Sales No. E.02.II.A.7), chap. I, resolution 1, annex.

[51] Food and Agriculture Organization of the United Nations, *Report of the World Food Summit, 13–17 November 1996* (WFS 96/REP), part one, appendix.

[52] Ibid., *Report of the World Food Summit: five years later, 10–13 June 2002*, part one, appendix; see also A/57/499, annex.

Taking note also of the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation"),[53]

Taking note further of the report of the Trade and Development Board on its fiftieth session[54] and the report of the Secretary-General of the United Nations Conference on Trade and Development on world commodity trends and prospects,[55] containing recommendations for specific actions relating to the particular needs and problems of commodity-dependent developing countries,

Mindful of the opportunity that the eleventh session of the United Nations Conference on Trade and Development, to be held in São Paulo, Brazil, from 13 to 18 June 2004, will offer for the further consideration of proposals to address commodity issues within the framework of the links among trade, investment and finance,

Mindful also that, in 2004, the International Monetary Fund will review its role in assisting low-income countries over the medium term,

Taking note of the summary by the President of the General Assembly of the open-ended panel of the Assembly on commodities,[56]

1. *Takes note* of the report of the Meeting of Eminent Persons on Commodity Issues, held at Geneva on 22 and 23 September 2003,[57] and expresses appreciation for the work of the eminent persons;

2. *Emphasizes* the need for efforts by the developing countries that are heavily dependent on primary commodities to continue to promote a domestic policy and an institutional environment that encourage diversification and liberalization of the trade and export sectors and enhance competitiveness;

3. *Encourages* donor Governments and organizations to increase their financial and technical support for activities aimed at addressing commodity issues, in particular the needs and problems of commodity-dependent developing countries;

4. *Stresses* the importance of a speedy resumption and successful conclusion of the work programme adopted at the Fourth Ministerial Conference of the World Trade Organization,[49] taking into account the needs of the commodity-dependent developing countries;

5. *Invites* the United Nations Conference on Trade and Development and other relevant bodies and organs of the United Nations system to continue to mainstream and accord high priority to programmes on commodity-related issues within their respective mandates;

6. *Welcomes* regular consideration of commodity issues by the Trade and Development Board of the United Nations Conference on Trade and Development;

7. *Invites* non-governmental organizations, civil society and the private sector to initiate programmes of assistance and other innovative initiatives in support of commodity-dependent developing countries;

8. *Notes* the relevance to appropriate governing bodies in the United Nations system and to international commodity bodies of the report of the Meeting of Eminent Persons on Commodity Issues, as well as the summary of discussions in the Trade and Development Board and the Second Committee of the General Assembly, which highlight the importance of finding lasting solutions to the problems faced by commodity-dependent developing countries in their pursuit of the internationally agreed development goals, including those contained in the United Nations Millennium Declaration;[46]

9. *Urges* Governments and invites international financial institutions to continue to assess the effectiveness, including the operationalization and user-friendliness, of the systems for compensatory financing of export-earnings shortfalls, and in this regard stresses the importance of empowering developing-country commodity producers to insure themselves against risk, including natural disasters;

10. *Invites* donor countries and development partners to support the efforts of commodity-dependent developing countries to add value to their products, and reiterates the importance of making progress on the Doha work programme to ensure the sustainability of those efforts;

11. *Requests* the Secretary-General to undertake further open and transparent discussions with all relevant stakeholders on enhancing the impact of the set of existing instruments to support commodity-dependent developing countries in their efforts to diversify their exports, overcome supply-side constraints, strengthen institutions and build knowledge and technical capacity;

12. *Calls upon* the United Nations Conference on Trade and Development and invites other relevant bodies and organs of the United Nations system, as well as other relevant international organizations, to strengthen coherently and within their respective mandates their capacity-building and technical cooperation activities in the fields of policy design and implementation, institution-building, management and utilization of commodity revenues, management of price risk and improvement of supply capacities, including the ability to satisfy quality and other requirements for market entry, and to enhance activities aimed at South-South cooperation in the field

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[53] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August-4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 2, annex.

[54] A/58/15 (Part V). For the final text, see *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 15*.

[55] A/57/381, annex.

[56] A/58/615, annex.

[57] A/58/401.

of commodities, share experiences and identify best practices for dealing with oversupply situations;

13. *Invites* the United Nations Conference on Trade and Development and all relevant international organizations to continue to analyse trends in commodities and their impact on the development of commodity-dependent developing countries, including on debt sustainability;

14. *Invites* the United Nations Conference on Trade and Development, the Common Fund for Commodities and all other relevant organizations to provide useful, timely, accurate, comprehensive and user-friendly information and analysis on commodities and to enable the use of this information by commodity-dependent developing countries;

15. *Requests* the Department of Public Information of the Secretariat to undertake, within existing budgetary resources, initiatives and activities to raise awareness of the commodities issue and keep it a high priority of Governments, the international community, media, academia and all other relevant stakeholders;

16. *Requests* the Secretary-General to submit to the General Assembly at its fifty-ninth session a report on the implementation of the present resolution, taking into account the provisions of Assembly resolution 57/236.

RESOLUTION 58/205

Adopted at the 78th plenary meeting, on 23 December 2003, without a vote, on the recommendation of the Committee (A/58/482, para. 9)[58]

58/205. Preventing and combating corrupt practices and transfer of assets of illicit origin and returning such assets to the countries of origin

The General Assembly,

Recalling its resolution 54/205 of 22 December 1999 and its resolutions 56/186 of 21 December 2001 and 57/244 of 20 December 2002, both on preventing and combating corrupt practices and transfer of funds of illicit origin and returning such funds to the countries of origin,

Recalling also the Monterrey Consensus of the International Conference on Financing for Development,[59] which underlined that fighting corruption at all levels is a priority, and the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation"),[60]

Deeply concerned about the seriousness of problems posed by continuing corrupt practices and transfer of assets of illicit origin and return of such funds and assets to the countries of origin, which may endanger the stability and security of societies, undermine the values of democracy and civil ethics and jeopardize sustainable and political development, in particular when an inadequate national and international response leads to impunity,

Taking note of the global study on the transfer of funds of illicit origin, especially funds derived from acts of corruption, submitted to the Ad Hoc Committee for the Negotiation of a Convention against Corruption,[61] which noted the substantial amounts of money involved, the economic hardships for countries that are victims of such corruption and the enormous obstacles to recovery faced by those countries,

Noting that Member States have different institutional arrangements and capacities to ensure the implementation of legislation on preventing corrupt practices and transfer of assets of illicit origin and returning such assets to the countries of origin,

Considering that the prevention of corrupt practices and transfer of assets of illicit origin and the return of such assets to the countries of origin have not been adequately regulated by all national legislations and international legal instruments,

Emphasizing the responsibilities of all Governments to enact laws aimed at preventing and combating corrupt practices and transfer of assets of illicit origin and return of such assets to the countries of origin,

1. *Takes note* of the report of the Secretary-General on preventing and combating corrupt practices and transfer of funds of illicit origin and returning such assets to the countries of origin;[62]

2. *Welcomes* the entry into force of the United Nations Convention against Transnational Organized Crime;[63]

3. *Notes with appreciation* the report of the Ad Hoc Committee for the Negotiation of a Convention against Corruption on the work of its first to seventh sessions;[64]

4. *Welcomes* the adoption of the United Nations Convention against Corruption;[65]

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[58] The draft resolution recommended in the report was introduced by the Vice-Chairperson of the Committee.

[59] *Report of the International Conference on Financing for Development, Monterrey, Mexico, 18–22 March 2002* (United Nations publication, Sales No. E.02.II.A.7), chap. I, resolution 1, annex.

[60] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 2, annex.

[61] A/AC.261/12.

[62] A/58/125.

[63] Resolution 55/25, annex I.

[64] A/58/422 and Add.1.

[65] See resolution 58/4.

5. *Also welcomes* the participation of Member States at a high level, including at the ministerial level, in the High-level Political Conference for the Purpose of Signing the United Nations Convention against Corruption, held at Merida, Mexico, from 9 to 11 December 2003;[66]

6. *Invites* all Member States and competent regional economic integration organizations to sign, ratify and fully implement the United Nations Convention against Corruption as soon as possible in order to ensure its rapid entry into force;

7. *Encourages* all Member States that have not yet done so to enact laws to prevent and combat corrupt practices and the transfer of illicitly acquired assets and for the return of such assets to the countries of origin, in accordance with the United Nations Convention against Corruption;

8. *Also encourages* all Member States that have not yet done so to require financial institutions to properly implement comprehensive due diligence and vigilance programmes that could facilitate transparency and prevent the placement of illicitly acquired funds;

9. *Encourages* subregional and regional cooperation, where appropriate, in the efforts to prevent and combat corrupt practices and the transfer of assets of illicit origin and for the return of such assets to the countries of origin;

10. *Calls* for further international cooperation, inter alia, through the United Nations system, in support of national, subregional and regional efforts to prevent and address the transfer of assets of illicit origin, as well as to return such assets to the countries of origin;

11. *Requests* the international community to provide, inter alia, technical assistance to support national efforts to strengthen human and institutional capacity aimed at preventing corrupt practices and the transfer of assets of illicit origin, returning such assets to the countries of origin and formulating strategies for mainstreaming and promoting transparency and integrity in both the public and private sector;

12. *Requests* the Secretary-General to submit to the General Assembly at its fifty-ninth session a report on the implementation of the present resolution;

13. *Decides* to include in the provisional agenda of its fifty-ninth session a sub-item entitled "Preventing and combating corrupt practices and transfer of funds and assets of illicit origin and returning such funds and assets to the countries of origin".

RESOLUTION 58/206

Adopted at the 78th plenary meeting, on 23 December 2003, without a vote, on the recommendation of the Committee (A/58/483/Add.1 and Corr.1, para. 7)[67]

58/206. Women in development

The General Assembly,

Recalling its resolutions 52/195 of 18 December 1997, 54/210 of 22 December 1999 and 56/188 of 21 December 2001 and all its other resolutions on the integration of women in development, and the relevant resolutions and agreed conclusions, including those on women in the economy,[68] adopted by the Commission on the Status of Women,

Recalling also the outcome of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century",[69]

Reaffirming the United Nations Millennium Declaration,[70] which affirms that the equal rights and opportunities of women and men must be assured, and calls for, inter alia, the promotion of gender equality and the empowerment of women as being effective and essential in the combat of poverty, hunger and disease and in stimulating development that is truly sustainable,

Reaffirming also that gender equality is of fundamental importance for achieving sustained economic growth and sustainable development, in accordance with the relevant General Assembly resolutions and recent United Nations conferences, and that investing in the development of women and girls has a multiplier effect, in particular on productivity, efficiency and sustained economic growth,

Recognizing the significant contribution that women make to the economy and the major force that they represent for change and development in all sectors of the economy, especially in key areas such as agriculture, industry and services,

Reaffirming that women are key contributors to the economy and to combating poverty through both remunerated and unremunerated work at home, in the community and in the workplace and that the empowerment of women is a critical factor in the eradication of poverty,

Recognizing that population and development issues, education and training, health, nutrition, the environment, water supply, sanitation, housing, communications, science and technology, and employment opportunities are important elements for effective poverty eradication and the advancement and empowerment of women,

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[66] A/CONF.205/2.

[67] The draft resolution recommended in the report was introduced by the Vice-Chairperson of the Committee.

[68] *Official Records of the Economic and Social Council, 1997, Supplement No. 7* (E/1997/27), chap. I, sect. C.1, agreed conclusions 1997/3.

[69] Resolutions S-23/2, annex, and S-23/3, annex.

[70] See resolution 55/2.

Recognizing also, in this context, the importance of respect for all human rights, including the right to development, and of a national and international environment that promotes, inter alia, justice, gender equality, equity, civil and political participation and political freedom for the advancement and empowerment of women,

Recognizing further that equal access to education and training, in particular in business, trade, administration, information and communication technologies and other new technologies, is essential for gender equality, the empowerment of women and poverty eradication,

Recognizing that the difficult socio-economic conditions that exist in many developing countries, in particular the least developed countries, have resulted in the acceleration of the feminization of poverty and that the empowerment of women is a critical factor in the eradication of poverty,

Recognizing also that poverty eradication and the achievement and preservation of peace are mutually reinforcing, and recognizing further that peace is inextricably linked to equality between women and men and to development,

Aware that, while globalization and liberalization processes have created employment opportunities for women in many countries, they have also made women, especially in developing countries and in particular in the least developed countries, more vulnerable to problems caused by increased economic volatility,

Recognizing that some effects of market liberalization may deepen the socio-economic marginalization of women in the agricultural sector, including through the loss of employment among small-scale farmers, who are more likely to be women than men, and emphasizing that women who are small-scale farmers need special support and empowerment in order to be able to meet the challenges and take advantage of the opportunities of agricultural market liberalization,

Recognizing also that enhanced trade opportunities for developing countries, including through trade liberalization, will improve the economic condition of those societies, including women, which is of particular importance in rural communities,

Aware that, while women represent an important and growing proportion of business owners, their contribution to economic and social development is constrained by, inter alia, the lack of equal access of women and men to, and control over, credit, technology, support services, land and information,

Concerned that the continuing discrimination against women, the denial or lack of equal rights and access to education, training and credit facilities and the lack of control over land, capital, technology and other areas of production impede their full and equal contribution to, and equal opportunity to benefit from, development,

Emphasizing the promotion of programmes aimed at financial intermediation, with a view to ensuring the access of rural women to credit and to agricultural inputs and implements and, in particular, to easing collateral requirements for access to finance by women,

Expressing its concern about the underrepresentation of women in economic decision-making, and stressing the importance of mainstreaming a gender perspective in the formulation, implementation and evaluation of all policies,

Noting the importance of the organizations and bodies of the United Nations system, in particular its funds and programmes, including the United Nations Development Fund for Women, in facilitating the advancement of women in development, and recognizing the work done by the International Research and Training Institute for the Advancement of Women,

1. *Takes note* of the report of the Secretary-General entitled "The empowerment of women and integration of gender perspectives in the promotion of economic growth, poverty eradication and sustainable development";[71]

2. *Reaffirms* the goals and commitments contained in the Beijing Declaration[72] and Platform for Action[73] and also in the political declaration[74] and further actions and initiatives to implement the Beijing Declaration and Platform for Action[75] adopted by the General Assembly at its twenty-third special session;

3. *Calls upon* Governments, the relevant entities of the United Nations system, within their respective mandates, and all relevant actors of civil society, including non-governmental organizations, to continue to take effective action to achieve full and effective implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session of the General Assembly;

4. *Stresses* the importance of creating a favourable and conducive national and international environment in all fields of life for the effective integration of women in development;

5. *Urges* all Governments to develop and promote strategies to mainstream a gender perspective in the design and implementation of economic and development policies and in the monitoring and evaluation of related programmes of action;

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[71] A/58/135.

[72] *Report of the Fourth World Conference on Women, Beijing, 4–15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex I.

[73] Ibid., annex II.

[74] Resolution S-23/2, annex.

[75] Resolution S-23/3, annex.

6. *Recognizes* the need to mainstream a gender perspective in budget policies at all levels, and calls upon Governments to increase women's full and equal participation in economic decision-making through, inter alia, their engagement in the budgetary process;

7. *Also recognizes* the mutually reinforcing links between gender equality and poverty eradication, as well as the need to elaborate and implement, where appropriate, in consultation with civil society, comprehensive gender-sensitive poverty eradication strategies that address social, structural and macroeconomic issues;

8. *Further recognizes* the need to strengthen the capacity of Governments to incorporate a gender perspective in policies and decision-making, and encourages all Governments, international organizations, including the United Nations system, and other relevant stakeholders to assist and support developing countries in integrating a gender perspective in all aspects of policy-making, including through the provision of technical assistance and financial resources;

9. *Stresses* the importance of developing national strategies for the promotion of sustainable and productive entrepreneurial activities that will generate income among disadvantaged women and women living in poverty;

10. *Urges* all Governments to ensure women's equal rights with men and their full and equal access to education, training, employment, technology and economic and financial resources, including credit, in particular for rural women and women in the informal sector, and to facilitate, where appropriate, the transition of women from the informal to the formal sector;

11. *Encourages* Governments, the private sector, non-governmental organizations and other actors of civil society to promote and protect the rights of women workers, to take action to remove structural and legal barriers as well as stereotypical attitudes to gender equality at work and to initiate positive steps to promote equal pay for equal work or work of equal value;

12. *Urges* all Governments to take all appropriate measures to eliminate discrimination against women with regard to their access to bank loans, mortgages and other forms of financial credit, giving special attention to poor, uneducated women, and to support women's access to legal assistance;

13. *Calls upon* Governments and entrepreneurial associations to facilitate the access of women, including young women and women entrepreneurs, to education and training in business, administration, and information and communication technologies;

14. *Recognizes* the role of microfinance, including microcredit, in the eradication of poverty, the empowerment of women and the generation of employment, notes in this regard the importance of sound national financial systems, and encourages the strengthening of existing and emerging microcredit institutions and their capacities, including through the support of international financial institutions;

15. *Stresses* the need for assistance to enable women in developing countries, particularly grass-roots women's groups, to have full access to and use of new technologies, including information technologies, for their empowerment;

16. *Urges* States to design and revise laws that ensure that women are accorded full and equal rights to own land and other property, including through inheritance, and to undertake administrative reforms and other necessary measures to give women the same right as men to credit, capital and appropriate technologies and access to markets and information;

17. *Calls upon* Governments to encourage the financial sector to mainstream a gender perspective in its policies and programmes, in particular by:

(*a*) Exploring viable options with respect to reaching people living in poverty, in particular women, including through international public and/or private funds;

(*b*) Designing savings schemes that are attractive to the poor, and to poor women in particular;

(*c*) Undertaking research to learn more about the characteristics, financial needs and performance of businesses owned by women;

(*d*) Working towards equal treatment for women clients through comprehensive gender-awareness training for staff at all levels and better representation of women in decision-making positions;

18. *Requests* Governments to ensure the full and equal participation of women in decision-making and in policy formulation and implementation at all levels so that their priorities, skills and potentials can be adequately reflected in national policy;

19. *Calls upon* Governments to promote, inter alia, through legislation, family-friendly and gender-sensitive work environments, the facilitation of breastfeeding for working mothers and the provision of the necessary care for working women's children and other dependants and to consider promoting policies and programmes, as appropriate, to enable men and women to reconcile their work, social and family responsibilities;

20. *Expresses its concern* that the HIV/AIDS pandemic reinforces gender inequalities, that women and girls bear a disproportionate share of the burden imposed by the HIV/AIDS crisis, that they are more easily infected, that they play a key role in care and that they have become more vulnerable to poverty as a result of the HIV/AIDS crisis;

21. *Calls upon* the international community to make efforts to mitigate the effects of excess volatility and economic disruption, which have a disproportionately negative impact on

women, and to enhance trade opportunities for developing countries in order to improve the economic situation of women;

22. *Urges* the international community, the United Nations system and relevant organizations to give priority to assisting the efforts of developing countries to ensure the full and effective participation of women in deciding and implementing development strategies and integrating gender concerns into national programmes, including by providing adequate resources to operational activities for development in support of the efforts of Governments to ensure full and equal access of women to health care, capital, education, training and technology, as well as full and equal participation in all decision-making;

23. *Recognizes* that a substantial increase in official development assistance and other resources will be required if developing countries are to achieve the internationally agreed development goals and objectives, including those contained in the United Nations Millennium Declaration,[70] and that in order to build support for official development assistance, cooperation will be needed in further improving policies and development strategies, both nationally and internationally, to enhance aid effectiveness;

24. *Urges* developed countries that have not yet done so to make concrete efforts towards the target of 0.7 per cent of gross national product as official development assistance to developing countries and 0.15 to 0.20 per cent of the gross national product of developed countries to least developed countries, as reconfirmed at the Third United Nations Conference on the Least Developed Countries, held in Brussels from 14 to 20 May 2001,[76] encourages developing countries to build on progress achieved in ensuring that official development assistance is used effectively to help to achieve development goals and targets, acknowledges the efforts of all donors, commends those donors whose official development assistance contributions exceed, reach or are increasing towards the targets, and stresses the importance of undertaking to examine the means and time frames for achieving the targets and goals;

25. *Encourages* the international community, the United Nations system, the private sector and civil society to continue to provide the necessary financial resources to assist national Governments in their efforts to meet the development targets and benchmarks agreed upon at the World Summit for Social Development, the Fourth World Conference on Women, the International Conference on Population and Development, the Millennium Summit, the International Conference on Financing for Development, the World Summit on Sustainable Development, the Second World Assembly on Ageing, the twenty-third and twenty-fourth special sessions of the General Assembly and other relevant United Nations conferences and summits;

26. *Encourages* the United Nations system and international and regional organizations, as appropriate, to assist Governments, at their request, in building institutional capacity and developing national action plans or further implementing existing action plans for the implementation of the Beijing Platform for Action;

27. *Urges* Governments to create and maintain a non-discriminatory and gender-sensitive legal environment by reviewing legislation, with a view to striving to remove discriminatory provisions as soon as possible, preferably by 2005, and eliminating legislative gaps that leave women and girls without protection of their rights and without effective recourse against gender-based discrimination, and encourages assistance to countries in achieving this aim;

28. *Urges* multilateral donors, and invites international financial institutions, within their respective mandates, and regional development banks to review and implement policies to support national efforts to ensure that a higher proportion of resources reach women, in particular in rural and remote areas;

29. *Welcomes* the convening of the first phase of the World Summit on the Information Society, held in Geneva from 10 to 12 December 2003, and its second phase, to be held in Tunis from 16 to 18 November 2005, and encourages Governments and all other stakeholders to integrate a gender perspective in the preparatory processes and outcome documents, taking into account the agreed conclusions on women's participation in and access to the media and information and communication technologies and their impact on and use as an instrument for the advancement and empowerment of women, adopted by the Commission on the Status of Women at its forty-seventh session[77] and endorsed by the Economic and Social Council in its resolution 2003/44 of 22 July 2003, and the report of the Secretary-General;[78]

30. *Encourages* Governments, international organizations, including the United Nations system, the private sector and civil society to fully incorporate a gender perspective into the implementation of and follow-up to the World Summit on Sustainable Development and the International Conference on Financing for Development and to implement the specific recommendations on microfinance and microcredit for women and gender budget policies;

31. *Stresses* the importance of collecting all relevant information needed on the role of women in development and statistics disaggregated by sex by all countries, encourages the relevant entities of the United Nations to support national

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[76] See A/CONF.191/13.

[77] See *Official Records of the Economic and Social Council, 2003, Supplement No. 7* (E/2003/27), chap. I, sect. A.III.

efforts, especially those of developing countries, and in this regard invites developed countries, relevant entities of the United Nations and other international organizations to provide support and assistance to developing countries, upon their request, with respect to establishing, developing and strengthening their databases and information systems, and encourages all Governments and international organizations, including the United Nations system, to collect information needed on the role of women in development and the disaggregation by sex of all statistics;

32. *Urges* all Governments and international organizations, including the United Nations system, to incorporate a gender perspective in their planning and evaluation, including in common country assessments, the United Nations Development Assistance Framework and poverty reduction strategy papers, where they exist;

33. *Encourages* the involvement, as appropriate, of relevant stakeholders, including the private sector and civil society, in mainstreaming a gender perspective in planning and evaluation;

34. *Calls upon* the United Nations system to integrate gender mainstreaming into all its programmes and policies, including in the integrated follow-up to United Nations conferences, in accordance with agreed conclusions 1997/2 on gender mainstreaming adopted by the Economic and Social Council at its substantive session of 1997,[78] and welcomes the decision of the Council to devote one of the two themes of the coordination segment of its substantive session of 2004 to the review and appraisal of the system-wide implementation of those agreed conclusions;

35. *Reiterates its request* to the Secretary-General to update the *World Survey on the Role of Women in Development* for the consideration of the General Assembly at its fifty-ninth session, noting that the survey should focus, as in the past, on selective emerging development issues that have an impact on the role of women in the economy at the national, regional and international levels;

36. *Requests* the Secretary-General to submit to the General Assembly at its sixtieth session a report on the progress made in the implementation of the present resolution, including the impact of globalization on the empowerment of women and their integration in development;

37. *Decides* to include in the provisional agenda of its sixtieth session the sub-item entitled "Women in development".

RESOLUTION 58/207

Adopted at the 78th plenary meeting, on 23 December 2003, without a vote, on the recommendation of the Committee (A/58/483/Add.2, para. 8)[79]

58/207. Human resources development

The General Assembly,

Recalling its resolutions 52/196 of 18 December 1997, 54/211 of 22 December 1999 and 56/189 of 21 December 2001, as well as the relevant sections of the Agenda for Development,[80]

Reaffirming internationally agreed development goals, including those contained in the United Nations Millennium Declaration,[81]

Recalling the outcomes of the major United Nations conferences and summits in the economic, social and related fields,

Recalling also the ministerial declaration of the high-level segment of the substantive session of 2002 of the Economic and Social Council, on the contribution of human resources development, including in the areas of health and education, to the process of development,[82]

Stressing that health and education are at the core of human resources development and the need to ensure that, by 2015, children everywhere, boys and girls alike, will be able to complete a full course of primary schooling and will have equal access to all levels of education, as expressed at the World Education Forum, held at Dakar from 26 to 28 April 2000, and in the Millennium Declaration,

Recognizing that human beings are at the centre of concerns for sustainable development and that human resources development is a fundamental aspect of poverty eradication and is vital to the process of sustainable development, contributing to sustained economic growth, social development and environmental protection,

Recognizing also that there is a need to integrate human resources development into comprehensive strategies that mainstream a gender perspective,

Stressing that Governments have the primary responsibility for defining and implementing appropriate policies for human resources development and the need for greater support from the international community for the national efforts of developing countries,

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[78] *Official Records of the General Assembly, Fifty-second Session, Supplement No. 3* (A/52/3/Rev.1), chap. IV.A, para. 4.

[79] The draft resolution recommended in the report was introduced by the Vice-Chairperson of the Committee.

[80] Resolution 51/240, annex.

[81] See resolution 55/2.

[82] See *Official Records of the General Assembly, Fifty-seventh Session, Supplement No. 3* (A/57/3/Rev.1), chap. III, para. 44.

Stressing also the need for enabling national and international environments that will enhance human resources development in developing countries so that they can face the challenges of and benefit from globalization,

Recognizing the need for adequate financial resources to increase investment in human resources development,

Expressing its concern at the increasing development gap between developed and developing countries, including the gap in knowledge and in access to information and communication technologies, and the disparity of income within and among nations and its adverse impact on human resources development in developing countries,

Expressing deep concern at the devastating impact of the HIV/AIDS pandemic, malaria, tuberculosis and other major infectious diseases on human resources development in developing countries, especially in sub-Saharan Africa,

Noting the impact of the movement of highly skilled people and those with an advanced education on human resources development and sustainable development in developing countries, and recognizing the need for further studies and analyses of its effects in the context of globalization,

Emphasizing the continuing need for coordination and integration among the organs and organizations of the United Nations system in assisting developing countries, in particular the least developed among them, in fostering the development of their human resources, especially that of the most vulnerable groups, and for the United Nations to continue to give priority to human resources development in developing countries,

1. *Takes note* of the report of the Secretary-General;[83]

2. *Recognizes* the importance of developing human resources as a means, inter alia, of promoting sustained economic growth and sustainable development and eradicating poverty, as well as of participating more effectively in the world economic system and benefiting from globalization;

3. *Urges* increased investments by all countries, the United Nations system, international organizations, the private sector, non-governmental organizations and civil society in all aspects of human development, such as health, nutrition, education, training and further capacity-building, with a view to achieving sustainable development and the well-being of all;

4. *Also urges* the adoption of comprehensive approaches to human resources development in designing and implementing development strategies at the national, subregional, regional and international levels and the sharing of best practices, while recognizing the role that local knowledge systems could play;

5. *Further urges* the adoption of cross-sectoral approaches to human resources development, which combine, among other factors, economic growth, poverty eradication, provision of basic social services, sustainable livelihoods, empowerment of women, involvement of young people, the needs of vulnerable groups of society, the needs of local indigenous communities, political freedom, popular participation and respect for human rights, justice and equity, all of which are essential for enhancing human capacity in order to meet the challenge of development;

6. *Encourages* all countries to ensure local and community-level engagement in the formulation and implementation of national and local policies to promote human resources development, and in this regard also encourages them to continue developing individual capacity as well as empowering communities;

7. *Emphasizes* the need to ensure the full participation of women in the formulation and implementation of national and local policies to promote human resources development;

8. *States* the importance of ensuring adequate resources for education as a fundamental aspect of eradicating poverty and promoting development with a view to achieving sustainable economic growth and human development;

9. *Encourages* Governments to manage resources assigned to education in a responsible, accurate and transparent way and to ensure accountability;

10. *Recognizes* the lack of adequate resources in many developing countries to expand access to and improve the quality of education, and, in particular, to provide free universal primary education;

11. *Encourages* the international community to provide greater technical assistance, financial support and allocation to human resources development in developing countries in support of their national efforts;

12. *Encourages* the United Nations system to focus in its cooperation activities on building human and institutional capacity, giving specific attention to women, girls and vulnerable groups;

13. *Calls upon* the United Nations system to harmonize further its collective human resources development efforts, in accordance with national policies and priorities;

14. *Encourages* the United Nations system to continue engaging in partnerships with the private sector and other relevant stakeholders, where appropriate, in accordance with United Nations resolutions and national priorities, so as to contribute further to the building of human resources development capacity in developing countries;

15. *Recognizes* the role of information and communication technologies in promoting human resources development, and in this regard welcomes the World Summit

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[83] A/58/348.

on the Information Society, the first phase of which was held in Geneva from 10 to 12 December 2003 and the second phase of which will be held in Tunis from 16 to 18 November 2005, as an important step towards addressing the challenges of bridging the digital divide as well as identifying a truly information and knowledge-based approach towards the achievement of the internationally agreed development goals, including those contained in the United Nations Millennium Declaration,[81] in developing countries;

16. *Also recognizes* the need to direct concerted efforts at enhancing the technical skills and know-how of people living in rural and agricultural areas, with a view to improving their means of livelihood and material well-being, and in this regard encourages the allocation of more resources for this purpose so as to facilitate access to appropriate technology and know-how from within countries as well as from other countries, in particular the developed countries, and through South-South cooperation, including triangular arrangements;

17. *Invites* international organizations, including international financial institutions, within their respective mandates, to give greater priority to supporting the objectives of human resources development and to integrating them into their policies, projects and operations;

18. *Requests* the Secretary-General to submit to the General Assembly at its sixtieth session a report on the implementation of the present resolution and to include a separate section therein on the effect of the movement of highly skilled people and those with an advanced education on human resources development in developing countries;

19. *Decides* to include in the provisional agenda of its sixtieth session, under the item entitled "Sustainable development and international economic cooperation", the sub-item entitled "Human resources development".

RESOLUTION 58/208

Adopted at the 78th plenary meeting, on 23 December 2003, without a vote, on the recommendation of the Committee (A/58/483/Add.3, para. 8)[84]

58/208. International migration and development

The General Assembly,

Recalling the Programme of Action of the International Conference on Population and Development adopted at Cairo,[85] in particular chapter X on international migration, and the key actions for the further implementation of the Programme of Action, set out in the annex to General Assembly resolution S-21/2 of 2 July 1999, in particular section II.C on international migration, as well as the relevant provisions contained in the Copenhagen Declaration on Social Development,[86] the Programme of Action of the World Summit for Social Development,[87] the Platform for Action adopted by the Fourth World Conference on Women[88] and the outcome documents of the twenty-fourth[89] and twenty-fifth[90] special sessions of the General Assembly,

Recalling also its resolutions 49/127 of 19 December 1994, 50/123 of 20 December 1995, 52/189 of 18 December 1997, 54/212 of 22 December 1999 and 56/203 of 21 December 2001 on international migration and development, as well as Economic and Social Council decision 1995/313 of 27 July 1995,

Recalling further its resolution 57/270 B of 23 June 2003 on the integrated and coordinated implementation of and follow-up to the outcomes of the major United Nations conferences and summits in the economic and social fields,

Reaffirming the obligations of all States to promote and protect all human rights and fundamental freedoms, reaffirming also the Universal Declaration of Human Rights,[91] and recalling the International Convention on the Elimination of All Forms of Racial Discrimination,[92] the Convention on the Elimination of All Forms of Discrimination against Women[93] and the Convention on the Rights of the Child,[94]

Recalling the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,[95] which entered into force in July 2003,

Recalling also that heads of State and Government at the United Nations Millennium Summit resolved to take measures, inter alia, to ensure respect for and protection of the human rights of migrants, migrant workers and their families, to eliminate the increasing acts of racism and xenophobia in many societies and to promote greater harmony and tolerance in all societies,

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[84] The draft resolution recommended in the report was introduced by the Vice-Chairperson of the Committee.

[85] *Report of the International Conference on Population and Development, Cairo, 5–13 September 1994* (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex.

[86] *Report of the World Summit for Social Development, Copenhagen, 6–12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annex I.

[87] Ibid., annex II.

[88] *Report of the Fourth World Conference on Women, Beijing, 4–15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex II.

[89] Resolution S-24/2, annex.

[90] Resolution S-25/2, annex.

[91] Resolution 217 A (III).

[92] Resolution 2106 A (XX), annex.

[93] Resolution 34/180, annex.

[94] Resolution 44/25, annex.

[95] Resolution 45/158, annex.

Reaffirming that the General Assembly and the Economic and Social Council should carry out their respective responsibilities as entrusted to them in the Charter of the United Nations, and that Member States should strive to achieve the goals set at the relevant United Nations conferences in the formulation of policies and the provision of guidance to and coordination of United Nations activities in the field of population and development, including activities on international migration,

Reaffirming also the need for the relevant United Nations organizations and other international organizations to enhance their financial and technical support to developing countries, as well as countries with economies in transition, to foster migration that contributes to development,

Taking note of the views of Member States on the question of convening a United Nations conference on international migration, its scope, form and agenda, and noting the low number of respondents to the survey of the Secretariat, and in this context inviting the Secretary-General to continue considering the issue,

Noting the work undertaken under the International Migration Policy Programme by the United Nations Institute for Training and Research, the International Organization for Migration and the United Nations Population Fund, in partnership with the International Labour Office, the Office of the United Nations High Commissioner for Refugees, the Office of the United Nations High Commissioner for Human Rights and other relevant international and regional institutions, with a view to strengthening the capacity of Governments to manage migration flows at the national and regional levels and thus foster greater cooperation among States towards orderly migration,

Aware that, among other important factors, both domestic and international, the widening economic and social gap between and among many countries and the marginalization of some countries in the global economy, due in part to the uneven impact of the benefits of globalization and liberalization, have contributed to large flows of people between and among countries and to the intensification of the complex phenomenon of international migration,

Aware also that, in spite of the existence of an already established body of principles, there is a need to enhance international cooperation on migration issues and make further efforts, including through appropriate mechanisms, to ensure that the human rights and dignity of all migrants and their families, in particular of women migrant workers, are respected and protected,

Taking note of the rights of all migrants and their obligation to respect national legislation, including legislation on migration,

Noting that an overall commitment to multiculturalism helps to provide a context for the effective integration of migrants, preventing and combating discrimination and promoting solidarity and tolerance in receiving societies,

Recognizing the need for further studies and analyses of the effects of the movements of highly skilled migrant workers and those with advanced education on economic and social development in developing countries, and emphasizing the need for further studies and analysis of the effects of those movements on development in the context of globalization,

Noting the importance of remittances by migrant workers, which for many countries are one of the major sources of foreign exchange and can make an important contribution to developmental potential, and stressing the need to consider the various dimensions of this issue in a sustainable development perspective,

1. *Takes note* of the report of the Secretary-General;[illegible]

2. *Urges* Member States and the United Nations system to continue strengthening international cooperation and arrangements at all levels in the area of international migration and development in order to address all aspects of migration and to maximize the benefits of international migration to all those concerned;

3. *Calls upon* all relevant bodies, agencies, funds and programmes of the United Nations system and other relevant intergovernmental, regional and subregional organizations, within their continuing mandated activities, to continue to address the issue of international migration and development, with a view to integrating migration issues, including a gender perspective and cultural diversity, in a more coherent way within the broader context of the implementation of agreed economic and social development goals and respect for all human rights;

4. *Requests* the Secretary-General, in cooperation with relevant bodies, agencies, funds and programmes of the United Nations system and other relevant international, regional and subregional organizations, to continue convening meetings, as necessary, in order to coordinate their activities regarding international migration, and to collect information to assist States in identifying critical issues and discussing future steps;

5. *Takes note* of the initiatives undertaken by Member States to continue to identify the many dimensions of international migration and development in order to better understand international migration processes and their linkages with globalization and development, to address the issues related to international migration, to analyse the gaps and shortcomings in the current approaches, to maximize the

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[illegible] A/58/98.

benefits of international migration and to strengthen international, regional and subregional cooperation;

6. *Encourages* Governments of countries of origin, countries of transit and countries of destination to increase cooperation on issues related to migration, and notes with appreciation the numerous meetings and conferences convened relating to migration and development,[97] in particular in the context of regional cooperation;

7. *Invites* Governments, with the assistance of the international community, where appropriate, to seek to make the option of remaining in one's country viable for all people, in particular through efforts to achieve sustainable development, leading to a better economic balance between developed and developing countries;

8. *Requests* the Secretary-General, as an exception, to submit a report to the General Assembly at its fifty-ninth instead of its sixtieth session on the implementation of the present resolution, which, inter alia, provides an update of the results of relevant activities within the United Nations system and of United Nations cooperation with the International Organization for Migration and other relevant intergovernmental organizations concerning international migration and development, including best practices on managed migration and polices to increase understanding and strengthen cooperation in the area of international migration and development among States and other stakeholders, reviews major initiatives of Member States and suggests action-oriented options for the consideration of the General Assembly;

9. *Decides* that in 2006 the General Assembly will devote a high-level dialogue to international migration and development, in accordance with the rules and procedures of the Assembly;

10. *Requests* the Secretary-General to report to the General Assembly at its sixtieth session on the organizational details of the high-level dialogue, bearing in mind that:

(*a*) The purpose of the high-level dialogue is to discuss the multidimensional aspects of international migration and development in order to identify appropriate ways and means to maximize its development benefits and minimize its negative impacts;

(*b*) The high-level dialogue should have a strong focus on policy issues, including the challenge of achieving the internationally agreed development goals;

(*c*) Round tables and informal exchanges are useful for dialogue;

(*d*) The outcome of the high-level dialogue will be a Chairperson's summary, which will be widely distributed to Member States, observers, United Nations agencies and other appropriate organizations;

11. *Decides* to include in the provisional agenda of its fifty-ninth session the sub-item entitled "International migration and development".

RESOLUTION 58/209

Adopted at the 78th plenary meeting, on 23 December 2003, without a vote, on the recommendation of the Committee (A/58/484/Add.8, para. 6)[98]

58/209. Report of the Governing Council of the United Nations Environment Programme on its twenty-second session

The General Assembly,

Recalling its resolution 2997 (XXVII) of 15 December 1972, by which it established the Governing Council of the United Nations Environment Programme,

Recalling also its resolutions 53/242 of 28 July 1999, 56/193 of 21 December 2001 and 57/251 of 20 December 2002 on the report of the Governing Council,

Taking note of the report of the Governing Council on its seventh special session,[99]

Reaffirming the role of the United Nations Environment Programme as the principal body within the United Nations system in the field of environment, which should take into account, within its mandate, the sustainable development needs of developing countries as well as countries with economies in transition,

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[97] Including the European Conference on Migration, held at Brussels on 16 and 17 October 2001; the International Symposium on Migration: Towards Regional Cooperation on Irregular/Undocumented Migration, held at Bangkok from 21 to 23 April 1999, which adopted the Bangkok Declaration on Irregular Migration (see A/C.2/54/2, annex); the Regional Conference to Address the Problems of Refugees, Displaced Persons, Other Forms of Involuntary Displacement and Returnees in the Countries of the Commonwealth of Independent States and Relevant Neighbouring States, held at Geneva on 30 and 31 May 1996; the Regional Conference on Migration in North and Central America; regional migration policy capacity-building and cooperation meetings organized and planned by the International Migration Policy Programme; the Mediterranean Conference on Population, Migration and Development, held at Palma de Mallorca, Spain, from 15 to 17 October 1996; the Technical Symposium on International Migration and Development of the Administrative Committee on Coordination Task Force on Basic Social Services for All, held at The Hague from 29 June to 3 July 1998; and the First and Second Ministerial Regional Conferences on People Smuggling, Trafficking in Persons and Related Transnational Crime, held at Bali, Indonesia, from 26 to 28 February 2002 and from 28 to 30 April 2003.

[98] The draft resolution recommended in the report was introduced by the Vice-Chairperson of the Committee.

[99] *Official Records of the General Assembly, Fifty-seventh Session, Supplement No. 25* (A/57/25).

Taking into account the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation"),[100]

Recalling the need to enhance the provisions of the Johannesburg Plan of Implementation concerning support for capacity-building in developing countries and countries with economies in transition,

1. *Takes note* of the report of the Governing Council of the United Nations Environment Programme on its twenty-second session[101] and the decisions contained therein;

2. *Emphasizes* the need for the United Nations Environment Programme, within its mandate, to further contribute to sustainable development programmes, the implementation of Agenda 21[102] and the Johannesburg Plan of Implementation[100] at all levels, bearing in mind the mandate of the Commission on Sustainable Development;

3. *Reiterates* the need to ensure that capacity-building and technical assistance to developing countries remain important components of the work of the United Nations Environment Programme, and in this regard emphasizes the need for full and effective implementation of relevant decisions of the Governing Council/Global Ministerial Environment Forum;

4. *Calls upon* the United Nations Environment Programme to contribute, within its mandate, to the preparations for the twelfth session of the Commission on Sustainable Development, while avoiding duplication and overlap in the work of the two bodies;

5. *Also calls upon* the United Nations Environment Programme to contribute, within its mandate and as a member of the Inter-Agency Task Force, to the preparations for the international meeting to review the implementation of the Programme of Action for the Sustainable Development of Small Island Developing States,[103] to be held in Mauritius from 30 August to 3 September 2004, including its preparatory process;

6. *Encourages* Member States, the Governing Council and the relevant bodies of the United Nations system to submit their comments, in a timely manner, on the important but complex issue of establishing universal membership of the Governing Council/Global Ministerial Environment Forum, including its legal, political, institutional, financial and system-wide implications, in order to contribute to the report of the Secretary-General to be submitted to the General Assembly for consideration before its sixtieth session, in accordance with resolution 57/251;

7. *Encourages* Member States to participate in the ongoing intergovernmental consultation process on the strengthening of the scientific base of the United Nations Environment Programme;

8. *Notes*, in regard to strengthening the overall financial situation of the United Nations Environment Programme, the various available options and the efforts being undertaken to enhance predictability in financing its programme of work and broadening its base of contributions;

9. *Invites* the Governing Council/Global Ministerial Environment Forum to review its methods, agenda and programme of work, in view of the mandate of the United Nations Environment Programme, with the aim of enhancing manageability and the effective participation of States Members of the United Nations in its sessions, and taking into account recent work thereon by the Committee of Permanent Representatives of the United Nations Environment Programme;

10. *Emphasizes* the need to further enhance coordination and cooperation among the relevant United Nations organizations in the promotion of the environmental dimension of sustainable development, and in this respect welcomes the participation of the United Nations Environment Programme in the United Nations Development Group;

11. *Requests* that the reports on the work of the Environmental Management Group be made available to the General Assembly at its next session through the Governing Council of the United Nations Environment Programme;

12. *Reiterates* the need for stable, adequate and predictable financial resources for the United Nations Environment Programme, and in accordance with resolution 2997 (XXVII) underlines the need to consider adequate reflection of all administrative and management costs of the Programme in the context of the United Nations regular budget;

13. *Requests* the Secretary-General to keep the resource needs of the United Nations Environment Programme and the United Nations Office at Nairobi under review so as to permit the delivery, in an effective manner, of necessary services to the Programme and to the other United Nations organs and organizations in Nairobi.

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[100] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 2, annex.

[101] *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 25* (A/58/25).

[102] *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3–14 June 1992* (United Nations publication, Sales No. E.93.I.8 and corrigenda), vol. I: *Resolutions adopted by the Conference*, resolution 1, annex II.

[103] *Report of the Global Conference on the Sustainable Development of Small Island Developing States, Bridgetown, Barbados, 25 April–6 May 1994* (United Nations publication, Sales No. E.94.I.18 and corrigenda), chap. I, resolution 1, annex II.

RESOLUTION 58/210

Adopted at the 78th plenary meeting, on 23 December 2003, without a vote, on the recommendation of the Committee (A/58/484/Add.1 and Corr.1, para. 7)[104]

58/210. Promotion of new and renewable sources of energy, including the implementation of the World Solar Programme 1996–2005

The General Assembly,

Recalling its resolutions 53/7 of 16 October 1998, 54/215 of 22 December 1999, 55/205 of 20 December 2000 and 56/200 of 21 December 2001 on the World Solar Programme 1996–2005,

Recalling also the recommendations and conclusions contained in the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation")[105] concerning energy for sustainable development,

Welcoming initiatives that aim to improve access to reliable, affordable, economically viable, socially acceptable and environmentally sound energy services for sustainable development in order to contribute to the achievement of the internationally agreed development goals, including those set out in the United Nations Millennium Declaration,[106]

Emphasizing that the World Solar Programme 1996–2005 is aimed at encompassing all forms of new and renewable energy, including solar, thermal, photovoltaic, biomass, wind, hydro, tidal, ocean and geothermal forms,

1. *Takes note* of the report of the Secretary-General;[107]

2. *Reaffirms* that the Johannesburg Plan of Implementation[105] is the intergovernmental framework for energy for sustainable development agreed to at the World Summit on Sustainable Development, and calls for its full implementation;

3. *Notes* the role that the World Solar Commission continues to play in the mobilization of international support and assistance for the implementation of many of the national high-priority projects on renewable sources of energy included in the World Solar Programme 1996–2005, many of which are being executed with national funding;

4. *Notes also* that although significant financial support has been provided by some developed countries that are Members of the United Nations and by some intergovernmental organizations, both within and outside the United Nations system, in the implementation of the World Solar Programme 1996–2005, more action still needs to be taken in this regard;

5. *Recognizes* that rural energy services, including their financing, should be designed to maximize local ownership, as appropriate;

6. *Encourages* the United Nations system to continue to raise awareness of the importance of energy for sustainable development, including the need for the promotion of new and renewable sources of energy and the implementation of the World Solar Programme 1996–2005, particularly in the context of sustainable development and poverty eradication;

7. *Emphasizes* the need to intensify research and development in support of energy for sustainable development, which will require increased commitment on the part of all stakeholders, including Governments and the private sector, to deploy financial and human resources for accelerating research efforts;

8. *Stresses* that the wider use of available renewable sources of energy requires technology transfer and diffusion on a global scale, including through North-South and South-South cooperation;

9. *Calls upon* Governments, as well as relevant regional and international organizations and other relevant stakeholders, to combine, as appropriate, the increased use of renewable energy resources, more efficient use of energy, greater reliance on advanced energy technologies, including advanced and cleaner fossil fuel technologies, and the sustainable use of traditional energy resources, which could meet the growing need for energy services in the longer term to achieve sustainable development;

10. *Encourages* national and regional initiatives on renewable energies to promote access to energy, including renewable energy, for the poorest and to improve energy efficiency and conservation by resorting to a mix of available technologies, taking into full account the provisions of the Johannesburg Plan of Implementation concerning energy for sustainable development;

11. *Welcomes* the initiative by the Government of Germany to host the International Conference for Renewable Energies, in Bonn, from 1 to 4 June 2004;

12. *Invites* the Director-General of the United Nations Educational, Scientific and Cultural Organization to continue to make effective the implementation of the Global Renewable Energy Education and Training Programme 1996–2005 in the various regions;

13. *Requests* the Secretary-General to submit to the General Assembly at its sixtieth session a report on the implementation of the present resolution;

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[104] The draft resolution recommended in the report was introduced by the Vice-Chairperson of the Committee.

[105] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 2, annex.

[106] See resolution 55/2.

[107] A/58/164.

14. *Decides* to include in the provisional agenda of its sixtieth session, under the item entitled "Environment and sustainable development", the sub-item entitled "Promotion of new and renewable sources of energy, including the implementation of the World Solar Programme 1996–2005".

RESOLUTION 58/211

Adopted at the 78th plenary meeting, on 23 December 2003, without a vote, on the recommendation of the Committee (A/58/484/Add.2, para. 14)[108]

58/211. International Year of Deserts and Desertification, 2006

The General Assembly,

Recalling chapter 12 of Agenda 21 adopted by the United Nations Conference on Environment and Development,[109]

Recalling also the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa,[110]

Recalling further the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation")[111] and the Johannesburg Declaration on Sustainable Development,[112]

Having considered decision 22/15 of 7 February 2003 of the Governing Council of the United Nations Environment Programme on an international year of deserts and desertification,[113]

Deeply concerned by the exacerbation of desertification, particularly in Africa, and its far-reaching implications for the implementation of the Millennium Development Goals, in particular on poverty eradication,

Recalling the environment initiative of the New Partnership for Africa's Development,[114]

Conscious of the need to raise public awareness and to protect the biological diversity of deserts as well as indigenous and local communities and the traditional knowledge of those affected by this phenomenon,

1. *Decides* to declare 2006 the International Year of Deserts and Desertification;

2. *Designates* the Executive Secretary of the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa, as focal point of the Year, in conjunction with the United Nations Environment Programme, the United Nations Development Programme, the International Fund for Agricultural Development and other relevant bodies of the United Nations;

3. *Invites* all countries to establish national committees or focal points and to celebrate the Year by arranging appropriate activities;

4. *Calls upon* all relevant international organizations and Member States to support the activities related to desertification, including land degradation, to be organized by affected countries, in particular African countries and the least developed countries;

5. *Encourages* countries to contribute, as they are able, to the Convention and to undertake special initiatives in observance of the Year with the goal of enhancing the implementation of the Convention;

6. *Requests* the Secretary-General to report to the General Assembly at its sixtieth session on the status of preparations for the Year.

RESOLUTION 58/212

Adopted at the 78th plenary meeting, on 23 December 2003, without a vote, on the recommendation of the Committee (A/58/484/Add.3, para. 8)[115]

58/212. Convention on Biological Diversity

The General Assembly,

Recalling its resolutions 55/201 of 20 December 2000, 56/197 of 21 December 2001 and 57/253 and 57/260 of 20 December 2002,

Reiterating that the Convention on Biological Diversity[116] is the key international instrument for the conservation and sustainable use of biological resources and the fair and equitable sharing of benefits arising from the use of genetic resources,

Recalling the World Summit on Sustainable Development commitments to pursue a more efficient and coherent implementation of the three objectives of the Convention and the achievement by 2010 of a significant reduction in the current rate of loss of biological diversity, which will require action at all levels, including the implementation of national biodiversity strategies and action plans and the provision of new and additional financial and technical resources to developing countries,

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[108] The draft resolution recommended in the report was introduced by the Vice-Chairperson of the Committee.

[109] *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3–14 June 1992* (United Nations publication, Sales No. E.93.I.8 and corrigenda), vol. I: *Resolutions adopted by the Conference*, resolution 1, annex II.

[110] United Nations, *Treaty Series*, vol. 1954, No. 33480.

[111] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. 1, resolution 2, annex.

[112] Ibid., resolution 1, annex.

[113] See *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 25* (A/58/25), annex.

[114] A/57/304, annex, paras. 138–142.

[115] The draft resolution recommended in the report was introduced by the Vice-Chairperson of the Committee.

[116] United Nations, *Treaty Series*, vol. 1760, No. 30619.

Reaffirming the urgency to recognize, subject to national legislation, the rights of local and indigenous communities that are holders of traditional knowledge, innovations and practices, and, with the approval and involvement of the holders of such knowledge, innovations and practices, to develop and implement benefit-sharing mechanisms, on mutually agreed terms, for the use of such knowledge, innovations and practices,

Expressing its deep appreciation for the generous offer of the Government of Malaysia to host the seventh meeting of the Conference of the Parties to the Convention on Biological Diversity and the first meeting of the Conference of the Parties to the Convention serving as the meeting of the Parties to the Cartagena Protocol on Biosafety, to be held at Kuala Lumpur, respectively, from 9 to 20 February and from 23 to 27 February 2004,

1. *Takes note* of the report of the Executive Secretary of the Convention on Biological Diversity, submitted by the Secretary-General to the General Assembly at its fifty-eighth session;[117]

2. *Notes* the outcome of the open-ended intersessional meeting on the multi-year programme of work of the Conference of the Parties to the Convention on Biological Diversity up to 2010, held at Montreal, Canada, from 17 to 20 March 2003;

3. *Notes also* the outcomes of the eighth and ninth meetings of the Subsidiary Body on Scientific, Technical and Technological Advice of the Conference of the Parties to the Convention on Biological Diversity, held at Montreal, Canada, from 10 to 14 March and from 10 to 14 November 2003;

4. *Reiterates* the World Summit on Sustainable Development commitment to negotiate within the framework of the Convention on Biological Diversity, bearing in mind the Bonn Guidelines on Access to Genetic Resources and Fair and Equitable Sharing of the Benefits Arising out of their Utilization, an international regime to promote and safeguard the fair and equitable sharing of benefits arising out of the utilization of genetic resources;

5. *Reiterates also* the World Summit on Sustainable Development commitment to promote the wide implementation of and continued work on the Bonn Guidelines, as an input to assist the parties when developing and drafting legislative, administrative or policy measures on access and benefit-sharing as well as contract and other arrangements under mutually-agreed terms for access and benefit-sharing;

6. *Invites* the countries that have not yet done so to ratify the Convention on Biological Diversity;

7. *Welcomes* the entry into force of the Cartagena Protocol on Biosafety to the Convention on Biological Diversity,[118] on 11 September 2003, and the convening of the first meeting of the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety, and invites the parties to the Convention that have not yet ratified or acceded to the Protocol to consider doing so;

8. *Emphasizes* that the effective implementation of the Cartagena Protocol on Biosafety will require full support from parties and relevant international organizations, and further urges parties to facilitate capacity-building in biosafety in developing countries as well as countries with economies in transition, including to develop and strengthen national capacities for making the required information available to and interacting with the Biosafety Clearing House;

9. *Invites* countries to consider ratifying or acceding to the International Treaty on Plant Genetic Resources for Food and Agriculture;

10. *Encourages* developed countries parties to the Convention to contribute to the relevant trust funds of the Convention, in particular so as to enhance the full participation of the developing countries parties in all its activities;

11. *Urges* parties to the Convention on Biological Diversity to facilitate the transfer of technology for the effective implementation of the Convention in accordance with its provisions;

12. *Underlines* the need for increased financial and technical resources for the implementation of the Convention on Biological Diversity and the Cartagena Protocol on Biosafety by developing countries as well as countries with economies in transition, and in this regard welcomes the successful and substantial third replenishment of the Global Environment Facility;

13. *Takes note* of the ongoing work of the liaison group of the secretariats and offices of the relevant subsidiary bodies of the United Nations Framework Convention on Climate Change,[119] the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa,[120] and the Convention on Biological Diversity, and further encourages continuing cooperation in order to promote complementarities

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[117] A/58/191.

[118] See UNEP/CBD/ExCOP/1/3 and Corr.1, part two, annex.

[119] United Nations, *Treaty Series*, vol. 1771, No. 30822.

[120] Ibid., vol. 1954, No. 33480.

among the secretariats, while respecting their independent legal status;

14. *Stresses* the importance of harmonizing the reporting requirements of the biodiversity-related conventions while respecting their independent legal status;

15. *Invites* the Executive Secretary of the Convention on Biological Diversity to continue reporting to the General Assembly on the ongoing work regarding the Convention, including its Cartagena Protocol;

16. *Decides* to include in the provisional agenda of its fifty-ninth session the sub-item entitled "Convention on Biological Diversity".

RESOLUTION 58/213

Adopted at the 78th plenary meeting, on 23 December 2003, without a vote, on the recommendation of the Committee (A/58/484/Add.4, para. 8)[121]

58/213. Further implementation of the Programme of Action for the Sustainable Development of Small Island Developing States

The General Assembly,

Recalling the Declaration of Barbados [122] and the Programme of Action for the Sustainable Development of Small Island Developing States,[123] adopted by the Global Conference on the Sustainable Development of Small Island Developing States, and recalling also its resolution 49/122 of 19 December 1994 on the Global Conference,

Recalling also its resolutions 51/183 of 16 December 1996, 52/202 of 18 December 1997 and 53/189 of 15 December 1998, the review document adopted by the Assembly at its twenty-second special session,[124] and its resolutions 54/224 of 22 December 1999, 55/199 and 55/202 of 20 December 2000, 56/198 of 21 December 2001 and 57/262 of 20 December 2002,

Recalling further the Johannesburg Declaration on Sustainable Development[125] and the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation"),[126] in particular the emphasis given to small island developing States in chapter VII of the Johannesburg Plan of Implementation, as well as the references to the specific needs of small island developing States contained in the United Nations Millennium Declaration [127] and the Monterrey Consensus of the International Conference on Financing for Development,[128]

Recalling its decision to convene an international meeting in 2004,[129] including a high-level segment, to undertake a full and comprehensive review of the implementation of the Programme of Action, as called for in the Johannesburg Plan of Implementation,

Welcoming the preparatory activities undertaken at the national and regional levels for the international meeting, and expressing its appreciation to the Governments of Samoa, Cape Verde and Trinidad and Tobago for hosting regional preparatory meetings,

Reaffirming the political importance of the forthcoming ten-year review of the progress achieved since the Global Conference, and stressing that the risk from the vulnerabilities of and challenges to small island developing States has increased and requires the strengthening of cooperation and more effective development assistance towards achieving the goals of sustainable development,

1. *Takes note* of the report of the Secretary-General;[130]

2. *Approves* the provisional rules of procedure of the International Meeting to Review the Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States, as contained in the note by the Secretary-General;[131]

3. *Decides* that the International Meeting shall be open to all States Members of the United Nations and States members of the specialized agencies, with the participation of observers, in accordance with the established practice of the General Assembly and its conferences and with the rules of procedure of the International Meeting;

4. *Welcomes* the efforts made at the national, subregional and regional levels to implement the Programme of Action,[123] and takes note of the reports of the regional preparatory meetings for the Pacific,[132] the Atlantic, Indian

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[121] The draft resolution recommended in the report was introduced by the Vice-Chairperson of the Committee.

[122] *Report of the Global Conference on the Sustainable Development of Small Island Developing States, Bridgetown, Barbados, 25 April–6 May 1994* (United Nations publication, Sales No. E.94.I.18 and corrigenda), chap. I, resolution 1, annex I.

[123] Ibid., annex II.

[124] See resolution S-22/2, annex.

[125] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 1, annex.

[126] Ibid., resolution 2, annex.

[127] See resolution 55/2.

[128] *Report of the International Conference on Financing for Development, Monterrey, Mexico, 18–22 March 2002* (United Nations publication, Sales No. E.02.II.A.7), chap. I, resolution 1, annex.

[129] Resolution 57/262, para. 5.

[130] A/58/170.

[131] A/58/567 and Corr.1.

[132] A/58/303, annex.

Ocean, Mediterranean and South China Seas[133] and the Caribbean[134] regions of small island developing States;

5. *Reiterates* the urgent need for the full and effective implementation of the Programme of Action, the Declaration of Barbados[122] and the review document adopted by the General Assembly at its twenty-second special session[124] so as to assist small island developing States in their efforts to achieve sustainable development;

6. *Decides* that the International Meeting will be convened from 30 August to 3 September 2004 and will include a high-level segment to undertake a full and comprehensive review of the implementation of the Programme of Action, as called for in the Johannesburg Plan of Implementation,[126] and welcomes the offer of the Government of Mauritius to host the International Meeting;

7. *Also decides* to hold, if deemed necessary by an open-ended preparatory meeting, and if funded from voluntary resources, two days of informal consultations in Mauritius, on 28 and 29 August 2004, to facilitate the effective preparation of the International Meeting;

8. *Urges* that representation and participation at the International Meeting be at the highest possible level;

9. *Decides* that the International Meeting will seek a renewed political commitment by the international community and will focus on practical actions for the further implementation of the Programme of Action, taking into consideration new and emerging issues, challenges and situations since the adoption of the Programme of Action;

10. *Endorses* Economic and Social Council resolution 2003/55 of 24 July 2003, in which it decided, on the recommendation of the Commission on Sustainable Development at its eleventh session, to convene an interregional preparatory meeting for small island developing States in Nassau from 26 to 30 January 2004, expresses its appreciation to the Government of the Bahamas for hosting the meeting, and encourages participation in the meeting at the ministerial level;

11. *Also endorses* the decision of the Economic and Social Council in its resolution 2003/55, on the recommendation of the Commission on Sustainable Development at its eleventh session, to convene during the twelfth session of the Commission a three-day preparatory meeting for the International Meeting, from 14 to 16 April 2004, for an in-depth assessment and appraisal of the implementation of the Programme of Action and to finalize the preparations for the International Meeting, including its agenda;

12. *Decides* that the preparatory meeting shall be open-ended and shall be held in accordance with the rules of procedure of the functional commissions of the Economic and Social Council and the supplementary arrangements established for the Commission on Sustainable Development by the Council in its decisions 1993/215 of 12 February 1993 and 1995/201 of 8 February 1995, applied to all Member States and other participants, as was the practice in the preparatory committee for the World Summit on Sustainable Development, while maintaining the provisions of the Commission in relation to travel assistance, in accordance with the provisions of Economic and Social Council decision 2003/283 of 24 July 2003;

13. *Encourages* associate members of the regional commissions that are small island developing States to participate in the International Meeting, and decides that their participation shall be in accordance with rule 61 of the provisional rules of procedure of the International Meeting;

14. *Decides* that the participation of major groups, including non-governmental organizations, in the International Meeting shall be in accordance with rule 65 of the provisional rules of procedure of the International Meeting;

15. *Also decides* that non-governmental organizations whose work is relevant to the subject of the International Meeting, that are not currently accredited by the Economic and Social Council, may submit applications to participate as observers in the International Meeting, as well as its preparatory meeting, subject to the approval of the open-ended preparatory meeting;

16. *Takes note* of the appointment of a Secretary-General of the International Meeting;

17. *Requests* the Secretary-General, in consultation with the relevant United Nations agencies and organizations, and taking into account the submissions he may receive from bilateral, regional and multilateral donor agencies as well as from major groups, including non-governmental organizations, to ensure the timely submission to the Commission on Sustainable Development at its twelfth session of a synthesis report on the basis of the national, regional and interregional preparations and reports by small island developing States and other parties;

18. *Requests* that the necessary resources, from within existing resources, be provided to the Department of Public Information of the Secretariat to ensure that the goals and purposes of the International Meeting receive the widest possible dissemination within Member States, major groups, including non-governmental organizations, and national, regional and international media, including through the Small Island Developing States Information Network, with a view to encouraging contributions to and support for the International Meeting and its preparatory process;

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[133] A/C.2/58/12, annex.

[134] A/C.2/58/14, annex.

19. *Expresses its appreciation* for the contributions made to the voluntary trust fund established for the purpose of assisting small island developing States to participate fully and effectively in the International Meeting and its preparatory process, as approved by the Economic and Social Council in resolution 2003/55 and decision 2003/283,[135] and urges all Member States and organizations to contribute generously to the fund;

20. *Encourages* the full and effective participation of developing countries in the International Meeting, and invites donor countries and agencies to provide additional extrabudgetary resources, in particular through voluntary contributions to the trust fund, to facilitate their participation;

21. *Welcomes* the coordinating efforts undertaken in the United Nations system through the creation of an inter-agency task force to enable the United Nations system to improve coordination and enhance cooperation on matters pertaining to the preparatory process and to the International Meeting itself;

22. *Calls upon* the Department of Economic and Social Affairs of the Secretariat, through the Division for Sustainable Development and its Small Island Developing States Unit,[136] to undertake activities in both the preparatory processes and the International Meeting to enhance coordination and cooperation within the United Nations system as well as with other relevant multilateral organizations to ensure the effective implementation and monitoring of and follow-up to the outcomes of the ten-year review of the Programme of Action;

23. *Calls upon* the Office of the High Representative for the Least Developed Countries, Landlocked Developing Countries and Small Island Developing States[137] to fulfil its mandate and to advocate strongly, in partnership with the relevant parts of the United Nations as well as with major groups, media, academia and foundations, for the mobilization of international support and resources for the successful outcome of the International Meeting and for the follow-up to the outcomes of the ten-year review of the Programme of Action;

24. *Welcomes* the generous contributions by donors to provide for staffing of the Small Island Developing States Unit, and calls upon the Secretary-General to explore practical options for strengthening the Unit, including by redeployment of resources, on a permanent basis during the biennium 2004–2005, pursuant to resolutions 56/198 and 57/262, with a view to facilitating the full and effective implementation of the Declaration of Barbados and the Programme of Action and the outcomes of the International Meeting;

25. *Decides* to include in the provisional agenda of its fifty-ninth session, under the item entitled "Environment and sustainable development", a sub-item entitled "Further implementation of the outcome of the Global Conference on the Sustainable Development of Small Island Developing States: follow-up to the outcomes of the International Meeting to Review the Implementation of the Barbados Programme of Action", and requests the Secretary-General to submit to the General Assembly at its fifty-ninth session the report of the International Meeting.

RESOLUTION 58/214

Adopted at the 78th plenary meeting, on 23 December 2003, without a vote, on the recommendation of the Committee (A/58/484/Add.5, para. 15)[138]

58/214. International Strategy for Disaster Reduction

The General Assembly,

Recalling its resolutions 44/236 of 22 December 1989, 49/22 A of 2 December 1994, 49/22 B of 20 December 1994, 53/185 of 15 December 1998, 54/219 of 22 December 1999, 56/195 of 21 December 2001 and 57/256 of 20 December 2002 and Economic and Social Council resolutions 1999/63 of 30 July 1999 and 2001/35 of 26 July 2001, and taking into due consideration its resolution 57/270 B of 23 June 2003 on integrated and coordinated implementation of and follow-up to the outcomes of the major United Nations conferences and summits in the economic and social fields,

Recalling also of the inclusion of the item "disaster management and vulnerability" in the multi-year programme of work of the Commission on Sustainable Development,[139]

Emphasizing that disaster reduction, including reducing vulnerability to natural disasters, is an important element that contributes to the achievement of sustainable development,

Noting the relevant provisions of the Ministerial Declaration of the Ministerial Conference of the Third World Water Forum, held in Kyoto, Japan, on 22 and 23 March 2003, on water-related disasters,[140]

Reiterating that, although natural disasters damage the social and economic infrastructure of all countries, the long-term consequences of natural disasters are especially severe for developing countries and hamper the achievement of their sustainable development,

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[135] See also A/C.2/58/4.

[136] As mandated in the Programme of Action, para. 123, and in para. 15 of resolution 49/122.

[137] See resolution 56/227.

[138] The draft resolution recommended in the report was introduced by the Vice-Chairperson of the Committee.

[139] See *Official Records of the Economic and Social Council, 2003, Supplement No. 9* (E/2003/29), chap. I, sect. A.

[140] See A/57/785, annex.

Recognizing the urgent need to further develop and make use of the existing scientific and technical knowledge to reduce vulnerability to natural disasters, and emphasizing the need for developing countries to have access to technology so as to tackle natural disasters effectively,

Expressing its deep concern at the number and scale of natural disasters and their increasing impact within recent years, which have resulted in massive loss of life and long-term negative social, economic and environmental consequences for vulnerable societies throughout the world, in particular in developing countries,

Recognizing the need to continue to develop an understanding of, and to address, socio-economic activities that exacerbate the vulnerability of societies to natural disasters and to build and further strengthen community capability to cope with disaster risks,

1. *Takes note* of the report of the Secretary-General on the implementation of the International Strategy for Disaster Reduction;[141]

2. *Invites* Governments and relevant international organizations to consider disaster risk assessment as an integral component of development plans and poverty eradication programmes;

3. *Stresses* that continued cooperation and coordination among Governments, the United Nations system, other international organizations, regional organizations, non-governmental organizations and other partners, as appropriate, are considered essential to address effectively the impact of natural disasters;

4. *Recognizes* the importance of linking disaster risk management to regional frameworks, as appropriate, such as with the New Partnership for Africa's Development,[142] to address issues of poverty eradication and sustainable development;

5. *Also recognizes* the importance of integrating a gender perspective as well as of engaging women in the design and implementation of all phases of disaster management, particularly in the disaster reduction stage;

6. *Further recognizes* the importance of early warning as an essential element of disaster reduction, and recommends the implementation of the outcome of the Second International Conference on Early Warning, held in Bonn, Germany, from 16 to 18 October 2003, which highlighted the importance of strengthened coordination and cooperation to integrate activities and expertise of the various sectors involved in the early warning process and has contributed to the review of the Yokohama Strategy for a Safer World: Guidelines for Natural Disaster Prevention, Preparedness and Mitigation and its Plan of Action;[143]

7. *Decides* to convene a World Conference on Disaster Reduction in 2005, at the senior-official level, designed to foster specialized discussions and produce concrete changes and results, with the following objectives:

(*a*) To conclude the review of the Yokohama Strategy and its Plan of Action, with a view to updating the guiding framework on disaster reduction for the twenty-first century;

(*b*) To identify specific activities aimed at ensuring the implementation of relevant provisions of the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation")[144] on vulnerability, risk assessment and disaster management;

(*c*) To share best practices and lessons learned to further disaster reduction within the context of attaining sustainable development and identify gaps and challenges;

(*d*) To increase awareness of the importance of disaster reduction policies, thereby facilitating and promoting the implementation of those policies;

(*e*) To increase the reliability and availability of appropriate disaster-related information to the public and disaster management agencies in all regions, as set out in the relevant provisions of the Johannesburg Plan of Implementation;

8. *Accepts with deep appreciation* the generous offer of the Government of Japan to host the Conference, and decides that the Conference will be held at Kobe, Hyogo, Japan, from 18 to 22 January 2005;

9. *Decides* to establish an open-ended intergovernmental preparatory committee for the Conference to review the organizational and substantive preparations for the Conference, approve the programme of work of the Conference and propose rules of procedure for adoption by the Conference, and also decides that the preparatory committee will meet at Geneva, following the 2004 semi-annual sessions of the Inter-Agency Task Force for Disaster Reduction, for up to two days each time, and that it will hold a one-day meeting at Kobe within the dates mentioned in paragraph 8 above, as necessary;

10. *Also decides* that the intergovernmental preparatory committee will have a bureau consisting of five representatives of Member States elected on the basis of equitable geographical representation;

11. *Invites* regional groups to nominate their candidates for the bureau of the preparatory committee by the end of

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[141] A/58/277.

[142] A/57/304, annex.

[143] A/CONF.172/9, chap. I, resolution 1, annex I.

[144] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 2, annex.

January 2004, so that they can be involved in the preparations for the first meeting of the preparatory committee, and to notify the secretariat of the Conference of those nominations;

12. *Requests* the inter-agency secretariat for the International Strategy for Disaster Reduction to serve as the secretariat of the Conference and to coordinate preparatory activities, the costs of which will be funded extrabudgetarily through the Trust Fund for the International Strategy for Disaster Reduction and in close cooperation with the host country and the preparatory committee for the Conference, with the full support of the relevant departments of the Secretariat;

13. *Understands* that the activities set out in paragraph 12 above will not hinder the other existing work and priorities of the inter-agency secretariat for the Strategy;

14. *Invites* Member States, all United Nations bodies and specialized agencies and other relevant intergovernmental agencies and organizations, in particular the members of the Inter-Agency Task Force for Disaster Reduction, to participate actively in the Conference, as well as its preparatory process;

15. *Welcomes* contributions from all regions that could provide substantive inputs to the preparatory process and the Conference itself;

16. *Encourages* effective contributions from major groups, as identified in Agenda 21,[145] invites them to seek accreditation to the Conference and its preparatory process, and decides that their accreditation and participation will be in accordance with the rules of procedure of the Commission on Sustainable Development, the rules of procedure of the World Summit on Sustainable Development and the established practice of the Commission on the participation and engagement of major groups;

17. *Decides* that the actual additional costs of the preparatory process and the Conference itself should be funded through extrabudgetary resources, without negatively affecting programmed activities, and through specific voluntary contributions to the Trust Fund for the Strategy;

18. *Requests* the Secretariat to provide conference services for the preparatory process and the Conference itself, the costs thereof to be borne by the host country, on the understanding that the Secretariat will ensure that its existing human resources are utilized to the maximum extent possible, without further charge to the host country;

19. *Encourages* the international community to provide the necessary financial resources to the Trust Fund for the Strategy and to provide the necessary scientific, technical, human and other resources to ensure adequate support for the activities of the inter-agency secretariat for the Strategy and the Inter-Agency Task Force for Disaster Reduction and its working groups, as well as to facilitate the preparations for the Conference;

20. *Expresses its appreciation* to those countries that have provided financial support for the activities of the Strategy by making voluntary contributions to its Trust Fund;

21. *Requests* the Secretary-General to allocate adequate financial and administrative resources, within existing resources, for the effective functioning of the inter-agency secretariat for the Strategy;

22. *Also requests* the Secretary-General to submit to the General Assembly at its fifty-ninth session a report on the implementation of the present resolution, in particular on the state of preparations for the World Conference on Disaster Reduction, under the item entitled "Environment and sustainable development".

RESOLUTION 58/215

Adopted at the 78th plenary meeting, on 23 December 2003, without a vote, on the recommendation of the Committee (A/58/484/Add.5, para. 15)[146]

58/215. Natural disasters and vulnerability

The General Assembly,

Recalling its decision 57/547 of 20 December 2002,

Taking into account the Johannesburg Declaration on Sustainable Development[147] and the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation"),[148]

Recognizing the need to continue to develop an understanding of, and to address, socio-economic activities that exacerbate the vulnerability of societies to natural disasters and to build and further strengthen community capacity to cope with disaster risks,

Noting that the global environment continues to suffer degradation, adding to economic and social vulnerabilities, in particular in developing countries,

Taking into account the various ways and forms in which all countries, in particular the more vulnerable developing countries, are affected by severe natural hazards, such as earthquakes, volcanic eruptions and extreme weather events such as heatwaves, severe droughts, floods and storms, and El Niño/La Niña events, which have global reach,

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[145] *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3–14 June 1992* (United Nations publication, Sales No. E.93.I.8 and corrigenda), vol. I: *Resolutions adopted by the Conference*, resolution 1, annex II.

[146] The draft resolution recommended in the report was introduced by the Vice-Chairperson of the Committee.

[147] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 1, annex.

[148] Ibid., resolution 2, annex.

Expressing its deep concern at the frequency and intensity of extreme weather events and associated natural disasters,

Expressing its deep concern also at the enormous negative impact of severe natural hazards, including extreme weather events and associated natural disasters, which continues to hinder social and economic progress, in particular in developing countries,

Reiterating that, although natural disasters damage the social and economic infrastructure of all countries, the long-term consequences of natural disasters are especially severe in developing countries and hamper their achievement of sustainable development,

Stressing that national authorities need to undertake disaster preparedness and mitigation efforts, in particular through the implementation of the International Strategy for Disaster Reduction, so as to enhance the resilience of populations to disasters and reduce the risks to them, their livelihoods, the social and economic infrastructure and environmental resources,

Recalling that the International Strategy for Disaster Reduction provides a framework for collaboration on the development of methodologies to systematically characterize, measure, assess and respond to natural disasters, including weather-related disasters, hazards and vulnerabilities,

Taking into account the fact that extreme weather events and associated natural disasters and their reduction must be dealt with in a coherent manner,

Noting the need for international cooperation to increase the capacity of countries to respond to the negative impacts of all natural hazards, including extreme weather events and associated natural disasters, particularly in developing countries,

Emphasizing the importance of raising awareness among developing countries of the capacities existing at the national, regional and international levels that could be deployed to assist them,

Taking note of the outcome of the Second International Conference on Early Warning, held in Bonn, Germany, from 16 to 18 October 2003,

1. *Takes note* of the report of the Secretary-General on the implementation of the International Strategy for Disaster Reduction,[149] in particular the section on the negative impacts of extreme weather events and associated natural disasters on vulnerable countries, in particular developing countries, as requested by the Assembly in its decision 57/547;

2. *Urges* the international community to continue to address ways and means, including through cooperation and technical assistance, to reduce the adverse effects of natural disasters, including those caused by extreme weather events, in particular in vulnerable developing countries, through the implementation of the International Strategy for Disaster Reduction, and encourages the Inter-Agency Task Force for Disaster Reduction to continue its work in this regard;

3. *Encourages* Governments to establish effective national platforms or focal points for disaster reduction, and to strengthen them where they already exist;

4. *Also encourages* Governments, in cooperation with the United Nations system and other stakeholders, to strengthen capacity-building in the most vulnerable regions, to enable them to address the socio-economic factors that increase vulnerability, and encourages the international community to provide effective assistance to developing countries in this regard;

5. *Encourages* the Inter-Agency Task Force for Disaster Reduction to enhance the coordination on the promotion of disaster reduction as well as to make available to the relevant United Nations entities information on options for natural disaster reduction, including severe natural hazards and extreme weather-related disasters and vulnerabilities;

6. *Encourages* the Conference of the Parties to the United Nations Framework Convention on Climate Change[150] and the parties to the Kyoto Protocol to the United Nations Framework Convention on Climate Change[151] to continue to address the adverse effects of climate change, especially in those developing countries that are particularly vulnerable, in accordance with the provisions of the Convention, and also encourages the Intergovernmental Panel on Climate Change to continue to assess the adverse effects of climate change on the socio-economic and natural disaster reduction systems of developing countries;

7. *Requests* the Secretary-General to report to the General Assembly at its fifty-ninth session on the implementation of the present resolution in a separate section of his report on the implementation of the International Strategy for Disaster Reduction, and decides to consider the issue of natural disasters and vulnerability at that session, under the sub-item "International Strategy for Disaster Reduction" of the item entitled "Environment and sustainable development".

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[149] A/58/277.

[150] United Nations, *Treaty Series*, vol. 1771, No. 30822.

[151] FCCC/CP/1997/7/Add.1, decision 1/CP.3, annex.

RESOLUTION 58/216

Adopted at the 78th plenary meeting, on 23 December 2003, without a vote, on the recommendation of the Committee (A/58/484/Add.7, para. 7)[152]

58/216. Sustainable development in mountain regions

The General Assembly,

Recalling its resolution 53/24 of 10 November 1998, by which it proclaimed 2002 the International Year of Mountains,

Recalling also its resolutions 55/189 of 20 December 2000 and 57/245 of 20 December 2002,

Recognizing chapter 13 of Agenda 21[153] and all relevant paragraphs of the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation"),[154] in particular paragraph 42 thereof, as the overall policy frameworks for sustainable development in mountain regions,

Noting the International Partnership for Sustainable Development in Mountain Regions ("Mountain Partnership"), launched during the World Summit on Sustainable Development with the committed support of thirty-eight countries, fifteen intergovernmental organizations and thirty-eight organizations from major groups, as an important approach to addressing the various interrelated dimensions of sustainable development in mountain regions,

Taking note of the Bishkek Mountain Platform,[155] the outcome document of the Bishkek Global Mountain Summit, held in Bishkek from 28 October to 1 November 2002, which was the concluding event of the International Year of Mountains,

1. *Takes note* of the report transmitted by the Secretary-General on the International Year of Mountains, 2002;[156]

2. *Welcomes* the significant results achieved during the Year, which substantially increased awareness of and strengthened interest in sustainable development and poverty eradication in mountain regions, as well as acting as a catalyst for long-term effective action to implement chapter 13 of Agenda 21[153] and paragraph 42 of the Johannesburg Plan of Implementation;[154]

3. *Notes with appreciation* that a growing network of Governments, organizations, major groups and individuals around the world know that mountains are globally important as the source of most of the Earth's freshwater, as repositories of rich biological diversity, as popular destinations for recreation and tourism and as areas of important cultural diversity, knowledge and heritage;

4. *Also notes with appreciation* the effective role played by Governments, as well as major groups, academic institutions and international organizations and agencies, in the activities related to the Year, including the establishment of seventy-eight national committees or similar mechanisms;

5. *Appreciates* the work undertaken by the Food and Agriculture Organization of the United Nations as the lead agency for the Year, as well as the valuable contributions made by the United Nations Environment Programme, the United Nations University, the United Nations Educational, Scientific and Cultural Organization, the United Nations Development Programme and the United Nations Children's Fund;

6. *Underlines* the fact that there remain key challenges to implementing sustainable development and eradicating poverty in mountain regions as well as challenges in the areas of national involvement, international cooperation, support for partnerships and mobilization of financial resources, and against this background:

(*a*) Encourages the United Nations system to enhance efforts to strengthen inter-agency collaboration to achieve more effective implementation of chapter 13 of Agenda 21 and paragraph 42 of the Johannesburg Plan of Implementation;

(*b*) Also encourages the continued establishment and development of mountain-related national committees, focal points and other multi-stakeholder mechanisms at the national level for sustainable development in mountain regions;

(*c*) Supports national efforts, within the framework of national development plans, to develop goals and strategic plans for the sustainable development of mountains, as well as enabling policies and laws, programmes and projects;

(*d*) Encourages transboundary approaches, where the States concerned agree, to the sustainable development of mountain ranges and information-sharing in this regard;

(*e*) Also encourages Member States to collect and produce information and to establish databases devoted to mountains so as to capitalize on knowledge to support interdisciplinary research, programmes and projects and to improve decision-making and planning;

(*f*) Supports the development and implementation of global, regional and national communication programmes to build on the awareness and momentum for change established by the Year;

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[152] The draft resolution recommended in the report was introduced by the Vice-Chairperson of the Committee.

[153] *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3–14 June 1992* (United Nations publication, Sales No. E.93.I.8 and corrigenda), vol. I: *Resolutions adopted by the Conference*, resolution 1, annex II.

[154] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 2, annex.

[155] A/C.2/57/7, annex.

[156] A/58/134.

(*g*) Stresses the importance of capacity-building and educational programmes to enhance awareness of good practices in sustainable development in mountain regions and the nature of relationships between highland and lowland areas;

(*h*) Calls for the improvement of mountain women's access to resources and the strengthening of their role in their communities and cultures, and in this context takes note of the recommendations of the Thimpu Declaration adopted at the Celebrating Mountain Women conference, held at Thimpu from 1 to 4 October 2002;

7. *Notes* the entry into force of the nine Protocols to the Convention on the Protection of the Alps as a contribution to regional cooperation for sustainable development in that mountain region;

8. *Notes also* the adoption and signing of the Framework Convention on the Protection and Sustainable Development of the Carpathians by the countries of the region;

9. *Notes further* that a consultative process has been conducted with all Mountain Partnership stakeholders, in particular donor countries, with a view to determining the best options for further assisting all stakeholders in the implementation of the Partnership;

10. *Takes note* of the conclusions of the first global meeting of the members of the Mountain Partnership, held in Merano, Italy, on 5 and 6 October 2003,[157] at the invitation of the Government of Italy;

11. *Notes* that the next global meeting of the members of the Mountain Partnership will be organized during the second half of 2004, and welcomes in this context the offer of the Government of Peru to host the meeting;

12. *Notes also*, in this context, that the Mountain Partnership is a cooperation mechanism that is dynamic, transparent, flexible and participatory in nature and that it is open to all Governments, including local and regional authorities, as well as to intergovernmental, non-governmental and other organizations whose objectives and activities are consistent with the vision and mission of the Partnership;

13. *Notes further* that Mountain Partnership members committed themselves to implement the Partnership in accordance with Economic and Social Council resolution 2003/61 of 25 July 2003, and calls upon them to comply with the criteria and guidelines agreed in the decision taken by the Commission on Sustainable Development at its eleventh session;[158]

14. *Invites* the international community and other relevant partners to consider joining the Mountain Partnership;

15. *Encourages* all relevant entities of the United Nations system, within their respective mandates, to continue their constructive collaboration in the context of the follow-up to the Year, taking into account the inter-agency group on mountains and the need for the further involvement of the United Nations system, in particular the Food and Agriculture Organization of the United Nations, the United Nations Environment Programme, the United Nations University, the United Nations Development Programme, the United Nations Educational, Scientific and Cultural Organization and the United Nations Children's Fund, international financial institutions and other relevant international organizations, taking into account the recommendations formulated in the Bishkek Mountain Platform;[155]

16. *Encourages* Governments, the United Nations system, the international financial institutions, the Global Environment Facility and other relevant United Nations funding mechanisms, such as the Global Mechanism of the United Nations Convention to Combat Desertification in Those Countries Experiencing Drought and/or Desertification, Particularly in Africa, as well as all relevant stakeholders from civil society organizations and the private sector, to provide support, including through voluntary financial contributions, to local, national and international programmes and projects for sustainable development in mountain regions;

17. *Requests* the Secretary-General to report to the General Assembly at its sixtieth session on the status of sustainable development in mountain regions, including an overall analysis of the challenges that lie ahead and appropriate policy recommendations, under a sub-item entitled "Sustainable development in mountain regions" of the item entitled "Environment and sustainable development".

RESOLUTION 58/217

Adopted at the 78th plenary meeting, on 23 December 2003, without a vote, on the recommendation of the Committee (A/58/485, para. 14)[159]

58/217. International Decade for Action, "Water for Life", 2005–2015

The General Assembly,

Recalling its resolution 55/196 of 20 December 2000, by which it proclaimed the year 2003 the International Year of Freshwater,

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[157] A/C.2/58/8, annex.

[158] See *Official Records of the Economic and Social Council, 2003, Supplement No. 9* (E/2003/29), chap. I, sect. A.

[159] The draft resolution recommended in the report was introduced by the Vice-Chairperson of the Committee.

Emphasizing that water is critical for sustainable development, including environmental integrity and the eradication of poverty and hunger, and is indispensable for human health and well-being,

Recalling the provisions of Agenda 21,[160] the Programme for the Further Implementation of Agenda 21 adopted at its nineteenth special session,[161] the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation")[162] and the decisions of the Economic and Social Council and of the Commission on Sustainable Development at its sixth session[163] relating to freshwater,

Reaffirming the internationally agreed development goals on water and sanitation, including those contained in the United Nations Millennium Declaration,[164] and determined to achieve the goal to halve, by the year 2015, the proportion of people who are unable to reach or to afford safe drinking water, and a similar goal set out in the Johannesburg Plan of Implementation to halve the proportion of people without access to basic sanitation,

Taking note of the contents of the *United Nations World Water Development Report: Water for People, Water for Life*,[165] a joint project of twenty-three specialized agencies and other United Nations entities, and other water-related collaborative mechanisms and initiatives,

Taking note also of the Ministerial Declaration entitled "Message from the Lake Biwa and Yodo River Basin", adopted on 23 March 2003, at the Ministerial Conference on the occasion of the Third World Water Forum, held in Kyoto, Japan,[166] and the Dushanbe Water Appeal, proclaimed on 1 September 2003 at the International Freshwater Forum, held in Dushanbe from 29 August to 1 September 2003,[167]

1. *Proclaims* the period from 2005 to 2015 the International Decade for Action, "Water for Life", to commence on World Water Day, 22 March 2005;

2. *Decides* that the goals of the Decade should be a greater focus on water-related issues at all levels and on the implementation of water-related programmes and projects, while striving to ensure the participation and involvement of women in water-related development efforts, and the furtherance of cooperation at all levels, in order to help to achieve internationally agreed water-related goals contained in Agenda 21,[160] the Programme for the Further Implementation of Agenda 21,[161] the United Nations Millennium Declaration[164] and the Johannesburg Plan of Implementation,[162] and, as appropriate, those identified during the twelfth and thirteenth sessions of the Commission on Sustainable Development;

3. *Welcomes* the decision of the Commission on Sustainable Development at its eleventh session, as reflected in its multi-year programme of work, to consider water, sanitation and human settlements as the thematic cluster in the first cycle, 2004–2005,[168] and invites the Commission to work within existing resources to identify possible activities and programmes in connection with the Decade within the framework of its consideration of the thematic cluster of issues on water, sanitation and human settlements at its twelfth and thirteenth sessions, as provided for by its multi-year programme of work;

4. *Invites* the Secretary-General to take the appropriate steps to organize the activities of the Decade, taking into account the results of the International Year of Freshwater and the work of the Commission on Sustainable Development at its twelfth and thirteenth sessions;

5. *Calls upon* the relevant United Nations bodies, specialized agencies, regional commissions and other organizations of the United Nations system to deliver a coordinated response, utilizing existing resources and voluntary funds, to make "Water for Life" a decade for action.

RESOLUTION 58/218

Adopted at the 78th plenary meeting, on 23 December 2003, without a vote, on the recommendation of the Committee (A/58/485, para. 14)[169]

58/218. Implementation of Agenda 21, the Programme for the Further Implementation of Agenda 21 and the outcomes of the World Summit on Sustainable Development

The General Assembly,

Recalling its resolutions 55/199 of 20 December 2000, 56/226 of 24 December 2001, 57/253 of 20 December 2002 and

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[160] *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3–14 June 1992* (United Nations publication, Sales No. E.93.I.8 and corrigenda), vol. I: *Resolutions adopted by the Conference*, resolution 1, annex II.

[161] Resolution S-19/2, annex.

[162] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigenda), chap. I, resolution 2, annex.

[163] See *Official Records of the Economic and Social Council, 1998, Supplement No. 9* (E/1998/29).

[164] See resolution 55/2.

[165] United Nations publication, Sales No. E.03.II.A.2.

[166] A/57/785, annex.

[167] A/58/362, annex.

[168] See *Official Records of the Economic and Social Council, 2003, Supplement No. 9* (E/2003/29), chap. I, sect. A.

[169] The draft resolution recommended in the report was introduced by the Vice-Chairperson of the Committee.

57/270 A and B of 20 December 2002 and 23 June 2003, respectively,

Recalling also the Rio Declaration on Environment and Development,[170] Agenda 21,[171] the Programme for the Further Implementation of Agenda 21,[172] the Johannesburg Declaration on Sustainable Development[173] and the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation"),[174]

Reaffirming the commitment to implement the Johannesburg Plan of Implementation, including the time-bound goals and targets, and other internationally agreed development goals, including those contained in the United Nations Millennium Declaration,[175]

Expressing its satisfaction that the Commission on Sustainable Development, at its eleventh session, agreed on its new organization of work and multi-year programme of work, as well as new methods of work aimed at promoting and supporting implementation and the provision for the Commission to work in a series of two-year action-oriented implementation cycles, alternating review and policy years,[176]

Noting the adoption by the Commission, at its eleventh session, of criteria and guidelines on partnership initiatives voluntarily undertaken by some Governments, international organizations and major groups, announced at the World Summit on Sustainable Development and in the follow-up to the Summit, as endorsed by the Economic and Social Council,[177]

Reaffirming the continuing need to ensure a balance between economic development, social development and environmental protection as interdependent and mutually reinforcing pillars of sustainable development,

Reaffirming also that poverty eradication, changing unsustainable patterns of production and consumption and protecting and managing the natural resource base of economic and social development are overarching objectives of, and essential requirements for, sustainable development,

Noting the convening in Marrakesh, Morocco, from 16 to 19 June 2003, of an international expert meeting on a ten-year framework of programmes for sustainable consumption and production,

Recognizing that good governance within each country and at the international level is essential for sustainable development,

1. *Takes note* of the report of the Secretary-General[178] on the activities undertaken in implementation of Agenda 21,[171] the Programme for the Further Implementation of Agenda 21[172] and the outcomes of the World Summit on Sustainable Development;

2. *Reiterates* that sustainable development is a key element of the overarching framework for United Nations activities, in particular for achieving the internationally agreed development goals, including those contained in the United Nations Millennium Declaration[175] and in the Johannesburg Plan of Implementation;[174]

3. *Calls upon* Governments, all relevant international and regional organizations, the Economic and Social Council, the United Nations funds and programmes, the regional commissions and specialized agencies, the international financial institutions, the Global Environment Facility and other intergovernmental organizations, in accordance with their respective mandates, as well as major groups, to take action to ensure the effective implementation of and follow-up to the commitments, programmes and time-bound targets adopted at the Summit, and encourages them to report on concrete progress in that regard;

4. *Calls* for the implementation of the commitments, programmes and time-bound targets adopted at the Summit and, to that end, for the fulfilment of the provisions relating to the means of implementation, as contained in the Johannesburg Plan of Implementation;

5. *Requests* the Secretary-General to strengthen system-wide inter-agency cooperation and coordination for the implementation of Agenda 21, the Programme for the Further Implementation of Agenda 21 and the Johannesburg Plan of Implementation, and in that regard to report on such inter-agency cooperation and coordination activities to the Commission on Sustainable Development and the Economic and Social Council in 2004;

6. *Welcomes* the decision of the Commission at its eleventh session to invite the regional commissions, in collaboration with the secretariat of the Commission, to consider organizing regional implementation meetings in order to contribute to the work of the Commission,[176] and in this regard urges the regional commissions to take into account the

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[170] *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3–14 June 1992* (United Nations publication, Sales No. E.93.I.8 and corrigenda), vol. I: *Resolutions adopted by the Conference*, resolution 1, annex I.

[171] Ibid., annex II.

[172] Resolution S-19/2, annex.

[173] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 1, annex.

[174] Ibid., resolution 2, annex.

[175] See resolution 55/2.

[176] See *Official Records of the Economic and Social Council, 2003, Supplement No. 9* (E/2003/29), chap I, sect. A.

[177] See Economic and Social Council resolution 2003/61.

[178] A/58/210.

relevant thematic clusters contained in the Commission's programme of work and to provide inputs as specified by the Commission at its eleventh session;

7. *Also welcomes* the decision of the Commission at its eleventh session to invite other regional and subregional bodies and institutions within and outside the United Nations system to contribute to the preparations for the Commission's review and policy sessions and the intergovernmental preparatory meeting;[176]

8. *Requests* the Secretary-General, in reporting to the Commission at its twelfth session on the state of implementation of Agenda 21, the Programme for the Further Implementation of Agenda 21 and the Johannesburg Plan of Implementation, on the basis of inputs from all levels, as specified by the Commission at its eleventh session, to submit:

(*a*) One report on each of the issues of water, sanitation and human settlement, to be addressed in an integrated manner during the session, which should contain a detailed review of the progress of implementation relating to those issues, taking into account, as appropriate, their interlinkages, while addressing the cross-cutting issues identified by the Commission at its eleventh session;

(*b*) A report on overall progress in the implementation of Agenda 21, the Programme for the Further Implementation of Agenda 21 and the Johannesburg Plan of Implementation, reflecting:

(i) Cross-cutting issues identified by the Commission at its eleventh session;

(ii) Progress made in the three dimensions of sustainable development and their integration;

(iii) Constraints, challenges, opportunities, best practices, information-sharing and lessons learned;

9. *Invites* the Bureau of the Commission at its twelfth session to continue to recommend to the Commission the specific organizational modalities through open-ended and transparent consultations to be conducted in a timely manner, following the established United Nations rules of procedure, bearing in mind that the activities during Commission meetings should provide for balanced involvement of participants from all regions, as well as for gender balance;

10. *Decides* to allocate the resources previously devoted to the former ad hoc intersessional working groups of the Commission to support the participation of representatives of member States of the Commission in one of their respective regional meetings in each implementation cycle;

11. *Invites* donor countries to consider supporting the participation of experts from developing countries in the areas of water, sanitation and human settlement in the next review and policy sessions of the Commission;

12. *Decides* that resources released by the termination of the work of the Committee on Energy and Natural Resources for Development, whose work has been transferred to the Commission, shall be used to support the work of the Commission;

13. *Encourages* Governments and organizations at all levels, as well as major groups, including the scientific community and educators, to undertake results-oriented initiatives and activities to support the work of the Commission and to promote and facilitate the implementation of Agenda 21, the Programme for the Further Implementation of Agenda 21 and the Johannesburg Plan of Implementation, including through voluntary multi-stakeholder partnership initiatives;

14. *Encourages* Governments to participate, at the appropriate level, through representatives of relevant departments and agencies responsible for water, sanitation and human settlement, in the next review and policy sessions of the Commission,

15. *Requests* the Secretariat to submit a summary report containing synthesized information on partnerships to the Commission at its twelfth session, in accordance with its programme and organization of work, noting the particular relevance of such reports in review years, with a view to sharing lessons learned and best practices and identifying and addressing problems, gaps and constraints in the implementation of Agenda 21, the Programme for the Further Implementation of Agenda 21 and the Johannesburg Plan of Implementation;

16. *Requests* the Commission, in accordance with General Assembly resolution 47/191 of 22 December 1992 and as specified by the Commission at its eleventh session, to examine progress made in the cross-cutting issues in the relevant thematic clusters, utilizing inputs from all levels;

17. *Requests* the Economic and Social Council to implement the provisions of the Johannesburg Plan of Implementation relevant to its mandate, in particular to promote the implementation of Agenda 21 by strengthening system-wide coordination;

18. *Urges* the Secretariat, in the preparation of the reports of the Secretary-General referred to in paragraph 8 above, to take due account of national reports;

19. *Decides* to include in the provisional agenda of its fifty-ninth session the item entitled "Implementation of Agenda 21, the Programme for the Further Implementation of Agenda 21 and the outcomes of the World Summit on Sustainable Development", and requests the Secretary-General, at that session, to submit a report on the implementation of the present resolution.

RESOLUTION 58/219

Adopted at the 78th plenary meeting, on 23 December 2003, without a vote, on the recommendation of the Committee (A/58/486, para. 10)[179]

58/219. United Nations Decade of Education for Sustainable Development

The General Assembly,

Recalling chapter 36 of Agenda 21, on promoting education, public awareness and training, adopted at the United Nations Conference on Environment and Development, held in Rio de Janeiro, Brazil, from 3 to 14 June 1992,[180]

Recalling also the relevant provisions of the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation") on education, in particular its provision 124 (*d*) on the United Nations Decade of Education for Sustainable Development,[181]

Recalling further its resolution 57/254 of 20 December 2002,

Reaffirming the internationally agreed development goal of achieving universal primary education, in particular that by 2015 children everywhere, boys and girls alike, will be able to complete a full course of primary schooling,

Taking note of the report of the Director-General of the United Nations Educational, Scientific and Cultural Organization on the United Nations Decade of Education for Sustainable Development,

Welcoming the fact that the Commission on Sustainable Development, at its eleventh session, identified education as one of the cross-cutting issues of its multi-year programme of work,[182]

Emphasizing that education is an indispensable element for achieving sustainable development,

1. *Takes note* of the Framework for a Draft International Implementation Scheme prepared by the United Nations Educational, Scientific and Cultural Organization, requests the United Nations Educational, Scientific and Cultural Organization, as the designated lead agency, to promote the United Nations Decade of Education for Sustainable Development, in coordination with other relevant United Nations agencies and programmes, and further requests it to finalize the international implementation scheme, while clarifying its relationship with the existing educational processes, in particular the Dakar Framework for Action adopted at the World Education Forum[183] and the United Nations Literacy Decade,[184] in consultation with Governments, the United Nations and other relevant international organizations, non-governmental organizations and other stakeholders;

2. *Reaffirms* that education for sustainable development is critical for promoting sustainable development, and in this regard encourages Governments to consider the inclusion of measures to implement the United Nations Decade of Education for Sustainable Development in their respective educational strategies and national development plans by 2005;

3. *Invites* Governments to promote public awareness of and wider participation in the United Nations Decade of Education for Sustainable Development, including through cooperation and initiatives engaging civil society and other relevant stakeholders;

4. *Decides* to include in the provisional agenda of its fifty-ninth session, under the item entitled "Environment and sustainable development", a sub-item entitled "United Nations Decade of Education for Sustainable Development".

RESOLUTION 58/220

Adopted at the 78th plenary meeting, on 23 December 2003, without a vote, on the recommendation of the Committee (A/58/487, para. 13)[185]

58/220. Economic and technical cooperation among developing countries

The General Assembly,

Stressing that South-South cooperation, as an important element of international cooperation for development, offers viable opportunities for developing countries and countries with economies in transition in their individual and collective pursuit of sustained economic growth and sustainable development,

Recognizing that developing countries have the primary responsibility for promoting and implementing South-South cooperation, not as a substitute for but rather as a complement to North-South cooperation, and in this context reiterating the need for the international community to support the efforts of the developing countries to expand South-South cooperation,

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[179] The draft resolution recommended in the report was introduced by the Vice-Chairperson of the Committee.

[180] See *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3–14 June 1992* (United Nations publication, Sales No. E.93.I.8 and corrigenda), vol. I: *Resolutions adopted by the Conference*, resolution 1, annex II.

[181] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 2, annex.

[182] See *Official Records of the Economic and Social Council, 2003, Supplement No. 9* (E/2003/29), chap. I, sect. A.

[183] See United Nations Educational, Scientific and Cultural Organization, *Final Report of the World Education Forum, Dakar, Senegal, 26–28 April 2000* (Paris, 2000).

[184] See resolution 56/116.

[185] The draft resolution recommended in the report was introduced by the Vice-Chairperson of the Committee.

Taking note of the Ministerial Declaration adopted by the Ministers for Foreign Affairs of the States members of the Group of 77 at their twenty-seventh annual meeting, held in New York on 25 September 2003,[186] in which the increased importance and relevance of South-South cooperation were re-emphasized,

1. *Takes note* of the report of the High-level Committee on the Review of Technical Cooperation among Developing Countries on its thirteenth session,[187] endorses the decisions adopted by the High-level Committee at that session,[188] and decides to change the name of the Committee to High-level Committee on South-South Cooperation, with no change in its mandate or in the scope of its activities;

2. *Also takes note* of the reports of the Secretary-General on the state of South-South cooperation[189] and on raising public awareness of and support for South-South cooperation;[190]

3. *Reaffirms* the need to strengthen further, within its available resources, the Special Unit for South-South Cooperation of the United Nations Development Programme as a separate entity and a focal point for South-South cooperation within the United Nations system, recognizes that its activities should be perceived as an integral part of the overall development policy of the United Nations system and the United Nations Development Programme, and in this context calls upon United Nations funds and programmes and other entities of the United Nations development system to intensify efforts to mainstream technical and economic cooperation among developing countries by using relevant national, regional and international mechanisms in consultation with Member States;

4. *Notes with interest* that South-South cooperation can have a positive impact on global, regional and national policies and actions in the economic, social and development fields in the developing countries, and urges developing countries and their partners to intensify South-South and triangular cooperation in these areas, as they contribute to the achievement of the internationally agreed development goals, including those contained in the United Nations Millennium Declaration;[191]

5. *Recognizes* that regional integration initiatives between developing countries constitute an important and valuable form of South-South cooperation and that regional integration is a step towards beneficial integration into the world economy;

6. *Also recognizes* the urgent need to help to strengthen the capacities of the developing countries, especially the least developed countries, to participate in and benefit from globalization and liberalization processes, and to this end welcomes the initiatives being undertaken at the subregional, regional, interregional and global levels towards establishing public-private partnership mechanisms aiming to enhance and expand South-South cooperation in trade and investment, and in this context notes the initiatives of the World Trade Forum;

7. *Reiterates* the urgent need to help to strengthen institutions and centres of excellence in the South, especially at the regional and interregional levels, with a view to making more effective use of such entities towards improved South-South knowledge-sharing, networking, capacity-building, information and best practices exchanges, policy analysis and coordinated action among developing countries on major issues of common concern, and in this context encourages such institutions and centres of excellence, as well as regional and subregional economic groupings, to establish closer links and bridges among themselves, including through the Web of Information for Development of the Special Unit for South-South Cooperation;

8. *Notes with interest* the holding of the High-level Conference on South-South Cooperation in Marrakesh, Morocco, from 16 to 19 December 2003, and calls upon developing countries, and encourages their development partners and relevant international organizations, to participate actively in the Conference in order to ensure its success and increase the momentum and intensity of South-South cooperation;

9. *Urges* all relevant United Nations organizations and multilateral institutions to intensify their efforts to effectively mainstream the use of South-South cooperation in the design, formulation and implementation of their regular programmes and to consider increasing allocations of human, technical and financial resources for supporting South-South cooperation initiatives, and in this regard takes note of the initiatives contained in the Havana Programme of Action adopted by the first South Summit[192] and the follow-up to the High-level Conference on South-South Cooperation in Marrakesh, as well as the preparations for the second South Summit in 2005;

10. *Recognizes* the need to mobilize additional resources for enhancing South-South cooperation, reiterates in this context its decision in its resolution 57/263 of 20 December

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[186] A/58/413, annex.

[187] *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 39* (A/58/39).

[188] Ibid., annex I.

[189] A/58/319.

[190] A/58/345.

[191] See resolution 55/2.

[192] A/55/74, annex II.

2002 to include the Voluntary Trust Fund for the Promotion of South-South Cooperation in the United Nations Pledging Conference for Development Activities, as long as it exists, and in the same manner decides to include the Pérez-Guerrero Trust Fund for Economic and Technical Cooperation among Developing Countries in the same Pledging Conference, and invites all countries, in particular developed countries, to support South-South and triangular cooperation through, inter alia, these funds, bearing in mind the need for these funds to continue to use such resources in an effective manner;

11. *Decides* to declare 19 December, the date on which the General Assembly endorsed the Buenos Aires Plan of Action for Promoting and Implementing Technical Cooperation among Developing Countries,[193] as the United Nations Day for South-South Cooperation;

12. *Also decides* to include in the provisional agenda of its sixtieth session a sub-item entitled "South-South cooperation for development", and requests the Secretary-General to submit at that session a comprehensive report on the state of South-South cooperation and on the implementation of the present resolution.

RESOLUTION 58/221

Adopted at the 78th plenary meeting, on 23 December 2003, without a vote, on the recommendation of the Committee (A/58/488, para. 16)[194]

58/221. Programme of Action for the International Year of Microcredit, 2005

The General Assembly,

Recalling its resolution 53/197 of 15 December 1998, by which it proclaimed 2005 the International Year of Microcredit and requested that the observance of the Year be a special occasion for giving impetus to microcredit programmes in all countries, particularly the developing countries,

Recalling also its resolution 52/194 of 18 December 1997, in which it emphasized the role of microcredit and microfinance as an important anti-poverty tool that promotes asset creation, employment and economic security and empowers people living in poverty, especially women,

Stressing that people living in poverty in rural and urban areas need access to microcredit and microfinance that enhance their ability to increase income, build assets and mitigate vulnerability in times of hardship,

Bearing in mind the importance of microfinance instruments such as credit, savings and related business services in providing access to capital for people living in poverty,

Recognizing the need to facilitate the access of people living in poverty, especially women, to microcredit and microfinance to enable them to undertake microenterprises so as to generate self-employment and contribute to achieving empowerment,

1. *Takes note* of the report of the Secretary-General containing the draft programme of action for the International Year of Microcredit, 2005;[195]

2. *Emphasizes* that the observance of 2005 as the International Year of Microcredit will provide a significant opportunity to raise awareness of the importance of microcredit and microfinance in the eradication of poverty, to share good practices and to further enhance financial sector developments that support sustainable pro-poor financial services in all countries;

3. *Invites* the Department of Economic and Social Affairs of the Secretariat and the United Nations Capital Development Fund to jointly coordinate the activities of the United Nations system regarding the preparations for and observance of the Year;

4. *Recognizes* the importance of scaling up microcredit and microfinance services and of using the Year as a platform to find ways of enhancing development impact and sustainability through the sharing of best practices and lessons learned;

5. *Invites* Member States to consider establishing national coordinating committees or focal points with responsibility for promoting the activities related to the preparations for and observance of the Year;

6. *Invites* Member States, relevant organizations of the United Nations system, non-governmental organizations, the private sector and civil society to collaborate in the preparations for and observance of the Year and to raise public awareness and knowledge about microcredit and microfinance;

7. *Recognizes* that access to microcredit and microfinance can contribute to achieving the goals and targets of major United Nations conferences and summits, including those contained in the United Nations Millennium Declaration,[196] in particular the targets relating to poverty eradication, gender equality and the empowerment of women;

8. *Encourages* the holding of regional and subregional events on microcredit and microfinance, and, in this regard, welcomes the holding of the Asia-Pacific Region Microcredit

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[193] *Report of the United Nations Conference on Technical Cooperation among Developing Countries, Buenos Aires, 30 August–12 September 1978* (United Nations publication, Sales No. E.78.II.A.11 and corrigendum), chap. I.

[194] The draft resolution recommended in the report was introduced by the Vice-Chairperson of the Committee.

[195] A/58/179.

[196] See resolution 55/2.

Summit Meeting of Councils, in Dhaka, from 16 to 19 February 2004;

9. *Encourages* Member States, relevant organizations of the United Nations system, non-governmental organizations, the private sector and foundations to make voluntary contributions and/or to lend other forms of support to the Year, in accordance with the guidelines for international years;

10. *Requests* the Secretary-General to prepare a report on the preparations for the International Year of Microcredit, 2005, in consultation with Member States, relevant organizations of the United Nations system, non-governmental organizations, the private sector and civil society, and to submit it to the General Assembly at its fifty-ninth session under the item entitled "Implementation of the first United Nations Decade for the Eradication of Poverty (1997–2006)".

RESOLUTION 58/222

Adopted at the 78th plenary meeting, on 23 December 2003, without a vote, on the recommendation of the Committee (A/58/488, para. 16)[197]

58/222. Implementation of the first United Nations Decade for the Eradication of Poverty (1997–2006)

The General Assembly,

Recalling its resolutions 47/196 of 22 December 1992, 48/183 of 21 December 1993, 50/107 of 20 December 1995, 56/207 of 21 December 2001 and 57/266 of 20 December 2002,

Recalling also the United Nations Millennium Declaration adopted by heads of State and Government on the occasion of the Millennium Summit,[198] and their commitment to eradicate extreme poverty and to halve, by 2015, the proportion of the world's people whose income is less than one dollar a day and the proportion of people who suffer from hunger,

Underlining the priority and urgency given by the heads of State and Government to the eradication of poverty, as expressed in the Monterrey Consensus of the International Conference on Financing for Development[199] and in the outcomes of the World Summit on Sustainable Development,[200]

Recalling the outcomes of the major United Nations conferences and summits in the economic and social fields,

Bearing in mind the outcomes of the World Summit for Social Development[201] and the twenty-fourth special session of the General Assembly,[202]

Expressing its deep concern that the number of people living in extreme poverty in many countries continues to increase, with women and children constituting the majority and the most affected groups, in particular in the least developed countries and in sub-Saharan Africa,

Recognizing that, while the rate of poverty in some countries has been reduced, some developing countries and disadvantaged groups are being marginalized and others are at risk of being marginalized and effectively excluded from the benefits of globalization, resulting in increased income disparity among and within countries, thereby constraining efforts to eradicate poverty,

1. *Takes note* of the report of the Secretary-General;[203]

2. *Reiterates* that eradicating poverty is the greatest global challenge facing the world today and an indispensable requirement for sustainable development, in particular for developing countries, that each country has the primary responsibility for its own sustainable development and poverty eradication, that the role of national policies and development strategies cannot be overemphasized and that concerted and concrete measures are required at all levels to enable developing countries to eradicate poverty and achieve sustainable development;

3. *Recognizes* that, in order for developing countries to reach the targets set in the context of national development strategies for the achievement of the internationally agreed development goals, including those contained in the United Nations Millennium Declaration,[198] in particular the goal of the eradication of poverty, and for such poverty eradication strategies to be effective, it is imperative that they be integrated into the world economy and share equitably in the benefits of globalization;

4. *Reaffirms* that, within the context of overall action for the eradication of poverty, special attention should be given to the multidimensional nature of poverty and the national and international conditions and policies that are conducive to its eradication, fostering, inter alia, the social and economic integration of people living in poverty and the promotion and

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[197] The draft resolution recommended in the report was introduced by the Vice-Chairperson of the Committee.

[198] See resolution 55/2.

[199] *Report of the International Conference on Financing for Development, Monterrey, Mexico, 18–22 March 2002* (United Nations publication, Sales No. E.02.II.A.7), chap. I, resolution 1, annex.

[200] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 1, annex, and resolution 2, annex.

[201] *Report of the World Summit for Social Development, Copenhagen, 6–12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annexes I and II.

[202] Resolution S-24/2, annex.

[203] A/58/179.

protection of all human rights and fundamental freedoms for all, including the right to development;

Global response for the eradication of poverty

5. *Stresses* the importance of the follow-up to the outcome of the International Conference on Financing for Development, and calls for the full and effective implementation of the Monterrey Consensus;[199]

6. *Reaffirms* that good governance at the international level is fundamental for achieving poverty eradication and sustainable development; in order to ensure a dynamic and enabling international economic environment, it is important to promote global economic governance by addressing the international finance, trade, technology and investment patterns that have an impact on the development prospects of developing countries; to that end, the international community should take all necessary and appropriate measures, including ensuring support to structural and macroeconomic reform, a comprehensive solution to the external debt problem and increasing market access for developing countries; efforts to reform the international financial architecture need to be sustained with greater transparency and with the effective participation of developing countries in decision-making processes; and that a universal, rule-based, open, non-discriminatory and equitable multilateral trading system, as well as meaningful trade liberalization, can substantially stimulate development worldwide, benefiting countries at all stages of development;

7. *Also reaffirms* that good governance at the national level is essential for poverty eradication and sustainable development, that sound economic policies, solid democratic institutions responsive to the needs of the people and improved infrastructure are the basis for sustained economic growth, poverty eradication and employment creation, and that freedom, peace and security, domestic stability, respect for human rights, including the right to development, the rule of law, gender equality, market-oriented policies and an overall commitment to just and democratic societies are also essential and mutually reinforcing;

8. *Recognizes* the major role that trade can play as an engine of growth and development and in eradicating poverty, regrets that the Fifth Ministerial Conference of the World Trade Organization, held in Cancún, Mexico, from 10 to 14 September 2003, failed to produce an agreement,[204] and calls for the resumption of the negotiations and the implementation of the Doha agenda, adopted at the Fourth Ministerial Conference of the World Trade Organization, held at Doha from 9 to 14 November 2001;[205]

9. *Also recognizes* the responsibility of all Governments to adopt policies aimed at preventing and combating corrupt practices at the national and international levels, and welcomes in this regard the adoption of the United Nations Convention against Corruption;[206]

10. *Underlines* that, together with coherent and consistent domestic policies, international cooperation is essential in supplementing and supporting the efforts of developing countries to utilize their domestic resources for development and poverty eradication and in ensuring that they will be able to achieve the development goals as envisioned in the Millennium Declaration;

11. *Reiterates* that a substantial increase in official development assistance and other resources will be required if developing countries, in particular the least developed countries, are to achieve the internationally agreed development goals and objectives, including those contained in the Millennium Declaration, and that, to build support for official development assistance, cooperation is necessary to further improve policies and development strategies to enhance aid effectiveness, both nationally and internationally, requests, in that regard, those countries that made announcements of increased official development assistance at the International Conference on Financing for Development to make those resources available as soon as possible, and notes in this context the recent upward trend in official development assistance;

12. *Urges* developed countries that have not done so to make concrete efforts to reach the targets of 0.7 per cent of their gross national product as official development assistance to developing countries and 0.15 to 0.20 per cent of their gross national product to least developed countries, as reconfirmed at the Third United Nations Conference on the Least Developed Countries, held in Brussels from 14 to 20 May 2001,[207] encourages developing countries to build on progress achieved in ensuring that official development assistance is used effectively to help achieve development goals and targets, acknowledges the efforts of all donors, commends those donors whose official development assistance contributions exceed, reach or are increasing towards the targets, and underlines the importance of undertaking to examine the means and time frames for achieving the targets and goals;

13. *Recognizes* that an enabling domestic environment is vital for mobilizing domestic resources, increasing productivity, reducing capital flight, encouraging the private sector and attracting and making effective use of international

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[204] See A/58/15 (Part V), chap. II, sect. B. For the final text, see *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 15.*

[205] See A/C.2/56/7, annex.

[206] Resolution 58/4, annex.

[207] See A/CONF.191/13.

investment and assistance, and that efforts to create such an environment should be supported by the international community;

14. *Also recognizes* that creditors and debtors must share the responsibility for preventing and resolving unsustainable debt situations and that debt relief can play a key role in liberating resources that should be directed towards activities consistent with attaining poverty eradication, sustainable economic growth, sustainable development and the achievement of the internationally agreed development goals, including those contained in the Millennium Declaration, and in that regard urges countries to direct those resources freed through debt relief, in particular through debt cancellation and reduction, towards these objectives;

15. *Calls upon* the developed countries, by means of intensified and effective cooperation with developing countries, to promote capacity-building and facilitate access to and transfer of technologies and corresponding knowledge, in particular to developing countries, on favourable terms, including concessional and preferential terms, as mutually agreed, taking into account the need to protect intellectual property rights as well as the special needs of developing countries;

16. *Recognizes* the crucial role that microcredit and microfinance could play in the eradication of poverty, the promotion of gender equality, the empowerment of vulnerable groups and the development of rural communities, encourages Governments to adopt policies that support access to microcredit as well as the development of microfinance institutions and their capacities, and calls upon the international community to support those efforts;

Policies for the eradication of poverty

17. *Reaffirms* that the eradication of poverty should be addressed in an integrated way, as set out in the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation"),[208] taking into account the importance of the need for the empowerment of women and sectoral strategies in such areas as education, development of human resources, health, human settlements, rural, local and community development, productive employment, population, environment and natural resources, water and sanitation, agriculture, food security, energy and migration, and the specific needs of disadvantaged and vulnerable groups, in such a way as to increase opportunities and choices for people living in poverty and to enable them to build and strengthen their assets so as to achieve development, security and stability, and in that regard encourages countries to develop their national poverty reduction policies in accordance with their national priorities, including, where appropriate, through poverty reduction strategy papers;

18. *Underlines*, in this context, the importance of further integration of the internationally agreed development goals, including those contained in the Millennium Declaration, in the national development strategies and plans, including the poverty reduction strategy papers where they exist, and calls upon the international community to continue to support developing countries in the implementation of those development strategies and plans;

19. *Recognizes* the importance of disseminating best practices for the reduction of poverty in its various dimensions, taking into account the need to adapt those best practices to suit the social, economic, cultural and historical conditions of each country;

20. *Reaffirms* that all Governments and the United Nations system should promote an active and visible policy of mainstreaming a gender perspective in all policies and programmes aimed at the eradication of poverty, at both the national and the international levels, and encourages the use of gender analysis as a tool for the integration of a gender dimension into planning the implementation of policies, strategies and programmes for the eradication of poverty;

21. *Also reaffirms* that poverty eradication, changing unsustainable patterns of production and consumption and protecting and managing the natural resource base of economic and social development are overarching objectives of, and essential requirements for, sustainable development;

22. *Emphasizes* the critical role of both formal and non-formal education, in particular basic education and training, especially for girls, in empowering those living in poverty, reaffirms in that context the Dakar Framework for Action adopted at the World Education Forum,[209] and recognizes the importance of the United Nations Educational, Scientific and Cultural Organization strategy for the eradication of poverty, especially extreme poverty, in supporting the Education For All programmes as a tool to achieve the millennium development goal on universal primary education by 2015;

23. *Recognizes* the devastating effect of HIV/AIDS, malaria, tuberculosis and other infectious, contagious diseases on human development, economic growth and poverty reduction efforts in all regions, in particular in sub-Saharan Africa, urges Governments and the international community to give urgent priority to combating those diseases, takes note of the convening of the fifteenth International Conference on HIV/AIDS, to be held in Thailand from 11 to 16 July 2004, and in that regard welcomes the recent decision adopted by

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[208] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 2, annex.

[209] See United Nations Educational, Scientific and Cultural Organization, *Final Report of the World Education Forum, Dakar, Senegal, 26–28 April 2000* (Paris, 2000).

members of the World Trade Organization on the implementation of paragraph 6 of the Doha Declaration on the Agreement on Trade-Related Aspects of Intellectual Property Rights and Public Health;[210]

24. *Emphasizes* the link between poverty eradication and improving access to safe drinking water, and stresses in this regard the objective to halve, by 2015, the proportion of people who are unable to reach or to afford safe drinking water and the proportion of people who do not have access to basic sanitation, as reaffirmed in the Johannesburg Plan of Implementation;

25. *Recognizes* that the lack of adequate housing remains a pressing challenge in the fight to eradicate extreme poverty, particularly in the urban areas in developing countries, expresses its concern at the rapid growth in the number of slum dwellers in the urban areas of developing countries, particularly in Africa, stresses that, unless urgent and effective measures and actions are taken at the national and international levels, the number of slum dwellers, who constitute one third of the world's urban population, will continue to increase, and emphasizes the need for increased efforts, with a view to significantly improving the lives of at least 100 million slum dwellers by 2020;

Specific initiatives in the fight against poverty

26. *Also recognizes* the important potential contribution of the World Solidarity Fund to the achievement of the Millennium Development Goals, in particular the objective to halve, by 2015, the proportion of people living on less than one dollar a day and the proportion of the people who suffer from hunger;

27. *Reiterates its endorsement* of the decision of the World Summit on Sustainable Development to establish the World Solidarity Fund to eradicate poverty and to promote social and human development in the developing countries, while stressing the voluntary nature of the contributions and the need to avoid duplication of existing United Nations funds and encouraging the role of the private sector and individual citizens relative to Governments in funding the endeavours, as set out in the Johannesburg Plan of Implementation;

28. *Encourages* Member States, international organizations, the private sector, relevant institutions, foundations and individuals to contribute to the World Solidarity Fund;

29. *Requests* the Administrator of the United Nations Development Programme, in that regard, to take further measures to operationalize the World Solidarity Fund by establishing, on an urgent basis, the high-level committee whose task it is to define the strategy of the Fund and to mobilize resources to enable it to start its activities in the field of poverty alleviation;

30. *Acknowledges* the significance of greater involvement of developing countries in joint efforts, including those among developing countries, to overcome extreme poverty, and in this context takes note of the initiatives undertaken by the developing countries, including those announced at the fifty-eighth session of the General Assembly;

31. *Welcomes* the initiatives undertaken by regional and subregional organizations for overcoming extreme poverty;

Africa, least developed countries, landlocked developing countries and small island developing States

32. *Stresses* the importance, as recognized in the Millennium Declaration, of meeting the special needs of Africa, where poverty remains a major challenge and where most countries have not benefited fully from the opportunities of globalization, which has further exacerbated the continent's marginalization;

33. *Reaffirms its support* for the New Partnership for Africa's Development,[211] encourages further efforts in the implementation of the commitments contained therein in the political, economic and social fields, and calls upon the developed countries and the United Nations system to continue to support the Partnership, the primary objective of which is to eradicate poverty and promote sustainable development on the basis of African ownership and leadership and enhanced partnerships with the international community, in accordance with the principles, objectives and priorities of the Partnership;

34. *Calls upon* the Governments of the least developed countries and their development partners to implement fully the commitments contained in the Brussels Declaration[212] and the Programme of Action for the Least Developed Countries for the Decade 2001–2010,[213] adopted at the Third United Nations Conference on the Least Developed Countries;

35. *Stresses* the significant challenge to poverty reduction posed by the geographical disadvantages of landlocked developing countries and the vulnerabilities of small island developing States, and in this context welcomes the adoption of the Almaty Programme of Action, at the International Ministerial Conference of Landlocked and Transit Developing Countries and Donor Countries and International Financial and Development Institutions on Transit Transport Cooperation, held in Almaty, Kazakhstan, on 28 and 29 August

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[210] WT/L/540. Available from http://docsonline.wto.org.

[211] A/57/304, annex.

[212] A/CONF.191/13, chap. I.

[213] Ibid., chap. II.

2003,[214] and supports the comprehensive review of the implementation of the Programme of Action for the Sustainable Development of Small Island Developing States,[215] to be held in Mauritius from 30 August to 3 September 2004;

The United Nations and the fight against poverty

36. *Calls* for the full implementation of its resolution 57/270 B of 23 June 2003 on the integrated and coordinated implementation of and follow-up to the outcomes of the major United Nations conferences and summits in the economic and social fields, which provides a comprehensive basis for the follow-up to the outcomes of those conferences and summits and contributes to the achievement of the internationally agreed development goals, including those contained in the Millennium Declaration, in particular the goal of the eradication of poverty and hunger, and notes in this context the decision to review in 2005 the progress achieved in implementing all commitments made in the Millennium Declaration and that there is scope for a major event;

37. *Reaffirms* the role of United Nations funds and programmes, in particular the United Nations Development Programme and its associated funds, in assisting the national efforts of developing countries, inter alia, in the eradication of poverty, and the need for their funding in accordance with the relevant resolutions of the United Nations;

38. *Requests* the Secretary-General to submit to the General Assembly at its fifty-ninth session a report on the implementation of the present resolution;

39. *Decides* to include in the provisional agenda of its fifty-ninth session the item entitled "Implementation of the first United Nations Decade for the Eradication of Poverty (1997–2006)".

RESOLUTION 58/223

Adopted at the 78th plenary meeting, on 23 December 2003, without a vote, on the recommendation of the Committee and as orally revised (A/58/489, para. 16)[216]

58/223. United Nations Institute for Training and Research

The General Assembly,

Recalling its resolutions 51/188 of 16 December 1996, 52/206 of 18 December 1997, 53/195 of 15 December 1998, 54/229 of 22 December 1999, 55/208 of 20 December 2000, 56/208 of 21 December 2001 and 57/268 of 20 December 2002,

Welcoming the recent progress made by the United Nations Institute for Training and Research in its various programmes and activities, including the improved cooperation that has been established with other organizations of the United Nations system and with regional and national institutions,

Expressing its appreciation to the Governments and private institutions that have made or pledged financial and other contributions to the Institute,

Noting with concern that contributions to the General Fund have not increased, while the participation of the developed countries in training programmes in New York and Geneva is increasing,

Noting that the bulk of the resources contributed to the Institute is directed to the Special Purpose Grants Fund rather than to the General Fund, and stressing the need to address that unbalanced situation,

Noting also that the Institute receives no subsidy from the United Nations regular budget and that it provides training programmes to all Member States free of charge,

Reiterating that training activities should be accorded a more visible and larger role in support of the management of international affairs and in the execution of the economic and social development programmes of the United Nations system,

1. *Takes note* of the report of the Secretary-General;[217]

2. *Reaffirms* the importance of a coordinated United Nations system-wide approach to research and training, based on an effective coherent strategy and an effective division of work among the relevant institutions and bodies;

3. *Also reaffirms* the relevance of the United Nations Institute for Training and Research in view of the growing importance of training within the United Nations and the training requirements of States and the relevance of the training-

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[214] *Report of the International Ministerial Conference of Landlocked and Transit Developing Countries and Donor countries and international Financial and Development Institutions on Transit Transport Cooperation, Almaty, Kazakhstan, 28 and 29 August 2003* (A/CONF.202/3), annex I.

[215] *Report of the Global Conference on the Sustainable Development of Small Island Developing States, Bridgetown, Barbados, 25 April–6 May 1994* (United Nations publication, Sales No. E.94.I.18 and corrigenda), chap. I, resolution 1, annex II.

[216] The draft resolution recommended in the report was introduced by the Vice-Chairperson of the Committee.

[217] A/58/183.

related research activities undertaken by the Institute within its mandate;

4. *Welcomes* the progress made in building partnerships between the Institute and other organizations and bodies of the United Nations system with respect to their training programmes, and in this context underlines the need to develop further and to expand the scope of those partnerships, in particular at the country level;

5. *Also welcomes* the establishment of the Institute's Hiroshima Office for Asia and the Pacific in Hiroshima, Japan;

6. *Requests* the Board of Trustees of the Institute to continue to ensure fair and equitable geographical distribution and transparency in the preparation of the programmes and in the employment of experts, and in this regard stresses that the courses of the Institute should focus primarily on development issues and the management of international affairs;

7. *Renews its appeal* to all Governments, in particular those of developed countries, and to private institutions that have not yet contributed financially or otherwise to the Institute, to give it their generous financial and other support, and urges the States that have interrupted their voluntary contributions to consider resuming them in view of the successful restructuring and revitalization of the Institute;

8. *Encourages* the Board of Trustees of the Institute to continue its efforts to resolve the critical financial situation of the Institute, in particular with a view to broadening its donor base and to increasing the contributions to the General Fund;

9. *Also encourages* the Board of Trustees to consider diversifying further the venues of the events organized by the Institute and to include the cities hosting regional commissions, in order to promote greater participation and reduce costs;

10. *Stresses* the need to take action to resolve expeditiously the issues related to the Institute's rent, debt, rental rates and maintenance costs, taking into account its financial situation, and welcomes the consideration of those issues by the Fifth Committee;

11. *Requests* the Secretary-General to submit to the General Assembly at its fifty-ninth session a report on the implementation of the present resolution, including details on the status of contributions to and the financial situation of the Institute.

RESOLUTION 58/224

Adopted at the 78th plenary meeting, on 23 December 2003, without a vote, on the recommendation of the Committee (A/58/489, para. 16)[218]

58/224. United Nations System Staff College in Turin, Italy

The General Assembly,

Recalling its resolutions 54/228 of 22 December 1999, 55/207 of 20 December 2000 and 55/258 of 14 June 2001,

Recalling also its resolution 55/278 of 7 August 2001, by which it approved the statute of the United Nations System Staff College,

Reaffirming the role of the Staff College as an institution for system-wide knowledge management, training and continuous learning for the staff of the United Nations system, in particular in the areas of economic and social development, peace and security and internal management,

1. *Takes note with appreciation* of the note by the Secretary-General and the accompanying report;[219]

2. *Welcomes* the progress made by the United Nations System Staff College since the entry into force of its statute on 1 January 2002 in pursuing the objectives set forth therein;

3. *Calls upon* all organizations of the United Nations system to make full and effective use of the facilities of the Staff College;

4. *Invites* the Staff College, in developing and implementing its work programme, to focus, inter alia, on activities that can serve to maximize system-wide coherence and effectiveness in supporting the coordinated and integrated follow-up to the outcomes of conferences, including, in particular, the United Nations Millennium Declaration,[220] and improving the delivery of services to Member States;

5. *Encourages* the Staff College to provide strategic leadership in order to increase operational effectiveness, promote inter-agency collaboration and strengthen management culture by its own example, including the development of new systems of performance management, flexible and collaborative work structures and cost-effective means of delivering services to clients and beneficiaries;

6. *Calls upon* relevant institutions of the United Nations, including the United Nations University, the United Nations Institute for Training and Research and the Staff College, to collaborate closely to those ends;

7. *Welcomes* the financial and other support extended by Member States to the work of the Staff College, and invites the international community to strengthen its support for the College through voluntary contributions, in accordance with article VII of the statute, to enable the College to consolidate its distinctive contribution to fostering a cohesive management

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[218] The draft resolution recommended in the report was introduced by the Vice-Chairperson of the Committee.

[219] A/58/305 and Corr.1.

[220] See resolution 55/2.

culture across the United Nations system that is responsive to the requirements of Member States;

8. *Invites* the United Nations System Chief Executives Board for Coordination, in accordance with article X of the statute, to make a recommendation that the report of the Secretary-General submitted pursuant to article IV, paragraph 5, of the statute be submitted to the Economic and Social Council rather than to the General Assembly.

RESOLUTION 58/225

Adopted at the 78th plenary meeting, on 23 December 2003, without a vote, on the recommendation of the Committee (A/58/490, para. 12)[221]

58/225. Role of the United Nations in promoting development in the context of globalization and interdependence

The General Assembly,

Recalling its resolutions 53/169 of 15 December 1998, 54/231 of 22 December 1999, 55/212 of 20 December 2000, 56/209 of 21 December 2001 and 57/274 of 20 December 2002 on the role of the United Nations in promoting development in the context of globalization and interdependence,

Reaffirming the resolve expressed in the United Nations Millennium Declaration[222] to ensure that globalization becomes a positive force for the people of the entire world,

Recognizing that globalization and interdependence are opening new opportunities and posing new challenges through trade, investment and capital flows and advances in technology, including information technology, for the growth of the world economy, development and the improvement of living standards around the world, within which some countries have made progress in successfully benefiting from the opportunities of globalization, while others have faced difficulties in coping with its challenges,

Noting with concern that, notwithstanding the current improvement, global economic growth has slipped since the adoption of the Millennium Declaration, with a negative impact on development prospects for developing countries,

Recognizing the importance of appropriate policy responses at the national level by all countries to the challenges of globalization, in particular by pursuing sound policies, stressing that such national policies can yield better results with international support and with an enabling international economic environment, noting the need for support from the international community for the efforts of the least developed countries, in particular in improving their institutional and management capacities, and recognizing that all countries should pursue policies conducive to economic growth and to promoting a favourable global economic environment,

Noting with serious concern that a large number of developing countries have not yet been able to benefit fully from the existing multilateral trading system, and underlining the importance of promoting the integration of developing countries into the world economy so as to enable them to take the fullest possible advantage of the trading opportunities arising from globalization and liberalization,

Bearing in mind the commitment made at the Fourth Ministerial Conference of the World Trade Organization, held at Doha from 9 to 14 November 2001,[223] to maintain the process of reform and the liberalization of trade policies, thus ensuring that the system plays its full part in promoting recovery, growth and development, to reaffirm strongly the principles and objectives set out in the Agreement Establishing the World Trade Organization[224] and to pledge to reject the use of protectionism and place development at the heart of the Doha work programme,[223] ensuring that globalization benefits all and that the internationally agreed development goals, including those contained in the Millennium Declaration, are achieved,

Stressing that the process of reform for a strengthened and stable international financial architecture should be based on broad participation in a genuine multilateral approach, involving all members of the international community, to ensure that the diverse needs and interests of all countries are adequately represented,

Underlining the urgent need to ensure the effective participation of all developing countries in the process of globalization, as an instrument for economic growth and poverty eradication,

Recognizing that all human rights are universal, indivisible, interdependent and interrelated,

Noting with concern the increasing linkages between corrupt practices and the transfer of illicitly acquired assets, money-laundering and other related organized crimes across national borders, and calling for better international efforts to effectively address these global trends, including through effective economic and banking regulations in all countries and the return of illicitly acquired assets to the countries of origin, in accordance with the United Nations Convention against

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[221] The draft resolution recommended in the report was introduced by the Vice-Chairman of the Committee.

[222] See resolution 55/2.

[223] See A/C.2/56/7, annex.

[224] See *Legal Instruments Embodying the Results of the Uruguay Round of Multilateral Trade Negotiations, done at Marrakesh on 15 April 1994* (GATT secretariat publication, Sales No. GATT/1994-7).

Corruption,[225] and in this regard welcoming its adoption by the General Assembly,

1. *Takes note with appreciation* of the report of the Secretary-General;[226]

2. *Reaffirms* that the United Nations has a central role in promoting international cooperation for development and in promoting policy coherence on global development issues, including in the context of globalization and interdependence;

3. *Reiterates* that success in meeting the objectives of development and poverty eradication depends, inter alia, on good governance, both within individual countries and at the international level, sound economic policies, solid democratic institutions that are responsive to the needs of the people and improved infrastructure, which are the basis for sustained growth, poverty eradication and employment creation, and that transparency in financial, monetary and trading systems and commitment to an open, equitable, rule-based, predictable and non-discriminatory multilateral trading and financial system, which are equally essential;

4. *Stresses* the need to address asymmetries in the current global system, including those related to the vulnerability of countries to external shocks, the concentration of technical innovation in industrialized countries and the limited international mobility of labour, as well as such issues as increasing the flow of foreign direct investment and enhancing the participation of developing countries in the world trading and financial systems;

5. *Welcomes* the commitment by all countries to promote national and global economic systems based on the principles of justice, equity, democracy, participation, transparency, accountability and inclusion, as contained in the Monterrey Consensus of the International Conference on Financing for Development;[227]

6. *Strongly urges* the international community to take all necessary and appropriate measures, including support for structural and macroeconomic reform, foreign direct investment, enhanced official development assistance, the search for a durable solution to the external debt problem, market access, capacity-building and the dissemination of knowledge and technology, in order to achieve sustainable development and promote the participation in the global economy of all African countries, as well as the least developed countries, the landlocked developing countries and small island developing States;

7. *Stresses* that, in the increasingly globalizing interdependent world economy, a holistic approach to the interconnected national, international and systematic challenges of financing for development, namely, sustainable, gender-sensitive and people-centred development, is essential in order to open up opportunities for all and to ensure that resources are created and used effectively, and that solid and accountable institutions are established at all levels;

8. *Also stresses* the special importance of creating an enabling international economic environment through strong cooperative efforts by all countries and institutions to promote equitable economic development in a world economy that benefits all people, and in that context invites developed countries, in particular the major industrialized countries, which have significant weight in influencing world economic growth, when formulating their macroeconomic policies, to take into account whether the effects of those policies in terms of the external economic environment would be favourable to growth and development;

9. *Encourages* all countries to consider, in the context of existing regional or subregional arrangements, reviewing the contribution of their national financial, trade, debt relief and other policies to the realization of agreed development goals and commitments;

10. *Reaffirms* the significant importance of an open, universal, equitable, rule-based, predictable, non-discriminatory and balanced multilateral trading system in pursuit of sustained economic growth, poverty eradication and sustainable development, as set out in the United Nations Millennium Declaration;[222]

11. *Stresses* the need to promote corporate responsibility and accountability, including through the full development and effective implementation of intergovernmental agreements and measures, international initiatives and public-private partnerships and appropriate national regulations, and to support continuous improvement in corporate practices in all countries;

12. *Invites* all countries, as well as the United Nations, the Bretton Woods institutions and the World Trade Organization, within their respective mandates, to continue to strengthen interactions with civil society, including the private sector and non-governmental organizations, as important partners in development;

13. *Expresses its concern* about the setback at the Fifth Ministerial Conference of the World Trade Organization, held in Cancún, Mexico, from 10 to 14 September 2003,[228] and stresses the importance of redoubling efforts in working towards the successful, timely and development-oriented conclusion of the

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[225] Resolution 58/4, annex.

[226] A/58/394.

[227] *Report of the International Conference on Financing for Development, Monterrey, Mexico, 18–22 March 2002* (United Nations publication, Sales No. E.02.II.A.7), chap. I, resolution 1, annex.

[228] See A/58/15 (Part V), chap. II, sect. B. For the final text, see *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 15.*

Doha negotiations no later than 1 January 2005, as set out in the Ministerial Declaration of the Fourth Ministerial Conference of the World Trade Organization ("Doha Ministerial Declaration");[223]

14. *Notes* the importance of advancing current efforts to reform the international financial architecture, as envisaged in the Monterrey Consensus, emphasizes that those efforts need to include the effective participation of developing countries and countries with economies in transition, and in this regard encourages the International Monetary Fund and the World Bank to continue examining the issues of the voice and effective participation of those countries, as provided for in the communiqués of the International Monetary and Financial Committee and the Development Committee at their last meetings, held in Dubai, United Arab Emirates, on 21 and 22 September 2003, and looks forward to the consideration of a road map on the issue at their next meeting in April 2004;

15. *Underlines* the importance, for the improved access of developing countries to international financial markets, of considering counter-cyclical macroeconomic policies in the face of volatile capital flows and of strengthening macroeconomic stability;

16. *Also underlines* the fact that, in addressing the linkages between globalization and sustainable development, particular focus must be placed on identifying and implementing policies and practices that advance and strengthen the interdependent and mutually reinforcing pillars of sustainable development, namely, economic development, social development and environmental protection, taking into account the Rio principles, including the principle of common but differentiated responsibilities, as set out in principle 7 of the Rio Declaration on Environment and Development,[229] and bearing in mind that good governance, at both national and international levels, is essential for sustainable development and to facilitate the transfer of environmentally sound technologies on concessional and preferential terms as mutually agreed;

17. *Stresses* the need to build an inclusive information society, which is intrinsically global in nature, and that therefore national efforts need to be supported by effective international and regional cooperation among Governments, the private sector, civil society and other stakeholders, including the international financial institutions, in order, inter alia, to assist in bridging the digital divide, promoting access to information and communication technologies, creating digital opportunities and harnessing the potential of information and communication technologies for development, and invites the World Summit on the Information Society to encourage all stakeholders in this regard;

18. *Reiterates* the need to address the specific concerns and needs of the least developed countries and small island developing States, and in this regard calls upon the least developed countries and their development partners, including multilateral financial institutions, to continue to implement expeditiously the Programme of Action for the Least Developed Countries for the Decade 2001–2010[230] and to adopt further measures to effectively integrate the least developed countries into the global economy and the multilateral trading system;

19. *Welcomes* the Almaty Programme of Action, adopted at the International Ministerial Conference of Landlocked and Transit Developing Countries and Donor Countries and International Financial and Development Institutions on Transit Transport Cooperation, held in Almaty, Kazakhstan, on 28 and 29 August 2003,[231] which addresses the special needs of landlocked developing countries within a new global framework for transit transport cooperation for landlocked and transit developing countries, and calls upon all stakeholders fully and effectively to implement the Programme of Action;

20. *Emphasizes* the importance of recognizing and addressing the specific concerns of countries with economies in transition so as to help them to benefit from globalization, with a view to their full integration into the world economy;

21. *Invites* all relevant agencies of the United Nations system, through, inter alia, the United Nations System Chief Executives Board for Coordination, within existing resources, to review the impact of its work on the achievement of the internationally agreed development goals, including those contained in the Millennium Declaration, and to focus its report to the Economic and Social Council on progress made in this regard;

22. *Stresses* the need for the United Nations system to continue to address the social dimension of globalization, encourages in that regard the work of the International Labour Organization on the social dimension of globalization, and takes note of the ongoing work of its World Commission on the Social Dimensions of Globalization;

23. *Also stresses* the importance of migration as a phenomenon accompanying increased globalization, including its impact on economies, and underlines further the need for greater coordination and cooperation among countries as well as relevant regional and international organizations;

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[229] See *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3–14 June 1992* (United Nations publication, Sales No. E.93.I.8 and corrigenda), vol. I: *Resolutions adopted by the Conference*, resolution 1, annex I.

[230] See A/CONF.191/13, chap. II.

[231] *Report of the International Ministerial Conference of Landlocked and Transit Developing Countries and International Financial and Development Institutions on Transit Transport Cooperation, Almaty, Kazakhstan, 28 and 29 August 2003* (A/CONF.202/3), annex I.

24. *Requests* the Secretary-General to submit to the General Assembly at its fifty-ninth session a report on globalization and interdependence, in the context of the present resolution, which should focus on ways to forge greater coherence in order to advance the internationally agreed development goals, including those contained in the Millennium Declaration;

25. *Decides* to include in the provisional agenda of its fifty-ninth session the item entitled "Globalization and interdependence".

RESOLUTION 58/226

Adopted at the 78th plenary meeting, on 23 December 2003, without a vote, on the recommendation of the Committee (A/58/491, para. 15)[232]

58/226. Implementation of the outcome of the United Nations Conference on Human Settlements (Habitat II) and the strengthening of the United Nations Human Settlements Programme (UN-Habitat)

The General Assembly,

Recalling its resolutions 3327 (XXIX) of 16 December 1974, 32/162 of 19 December 1977, 34/115 of 14 December 1979, 56/205 and 56/206 of 21 December 2001 and 57/275 of 20 December 2002,

Taking note of Economic and Social Council resolutions 2002/38 of 26 July 2002 and 2003/62 of 25 July 2003,

Recalling the Habitat Agenda[233] and the Declaration on Cities and Other Human Settlements in the New Millennium,[234]

Recalling also the goal contained in the United Nations Millennium Declaration[235] of achieving a significant improvement in the lives of at least 100 million slum-dwellers by 2020, as proposed in the Cities Without Slums Initiative, and recalling further the goal contained in the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation")[236] to halve, by the year 2015, the proportion of people who are unable to reach or afford safe drinking water and the proportion of people who do not have access to basic sanitation,

Taking into account the Johannesburg Declaration on Sustainable Development[237] and the Johannesburg Plan of Implementation, as well as the Monterrey Consensus of the International Conference on Financing for Development,[238]

Recognizing that the overall thrust of the new strategic vision of the United Nations Human Settlements Programme (UN-Habitat) and its emphasis on the two global campaigns on secure tenure and urban governance are strategic points of entry for the effective implementation of the Habitat Agenda, especially for guiding international cooperation in respect of adequate shelter for all and sustainable human settlements development,

Conscious of the need to achieve greater coherence and effectiveness in the implementation of the Habitat Agenda, the Declaration on Cities and Other Human Settlements in the New Millennium and the relevant internationally agreed development goals, including those contained in the Millennium Declaration,

Recognizing the need for increased and predictable financial contributions to the United Nations Habitat and Human Settlements Foundation in the new millennium to ensure timely, effective and concrete results in the implementation of the Habitat Agenda, the Declaration on Cities and Other Human Settlements in the New Millennium and the relevant internationally agreed development goals, including those contained in the Millennium Declaration and the Johannesburg Declaration and Plan of Implementation, particularly in developing countries,

Welcoming the establishment by the Executive Director of UN-Habitat of a Water and Sanitation Trust Fund as a financing mechanism to support the creation of enabling environments for pro-poor investment in water and sanitation in developing-country cities,

Commending those countries that have contributed to the United Nations Habitat and Human Settlements Foundation, as indicated in the report of the Secretary-General to the Economic and Social Council,[239]

Reiterating the call to the Executive Director of UN-Habitat to increase her efforts to strengthen the Foundation in order to achieve its primary operative objective, as set out in resolution 3327 (XXIX), of supporting the implementation of the Habitat Agenda, including supporting shelter, related infrastructure-development programmes and housing-finance institutions and mechanisms, particularly in developing countries,

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[232] The draft resolution recommended in the report was introduced by the Vice-Chairperson of the Committee.

[233] *Report of the United Nations Conference on Human Settlements (Habitat II), Istanbul, 3–14 June 1996* (United Nations publication, Sales No. E.97.IV.6), chap. I, resolution 1, annex II.

[234] Resolution S-25/2, annex.

[235] See resolution 55/2.

[236] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 2, annex.

[237] Ibid., resolution 1, annex.

[238] *Report of the International Conference on Financing for Development, Monterrey, Mexico, 18–22 March 2002* (United Nations publication, Sales No. E.02.II.A.7), chap. I, resolution 1, annex.

[239] E/2003/76.

Recalling the decision of the Commission on Sustainable Development at its eleventh session to address the themes of water, sanitation and human settlements in its next review and policy sessions,[240]

Noting the efforts by UN-Habitat to forge partnerships with Habitat Agenda partners, other United Nations funds and programmes and international financial institutions, such as the World Bank,

Recognizing that shelter and human settlements planning and administration are important sectors in humanitarian efforts,

Expressing its appreciation to the Government of Spain and the city of Barcelona for their willingness to host the second session of the World Urban Forum in 2004 and to the Government of Canada and the city of Vancouver for their willingness to host the third session of the World Urban Forum in 2006,

1. *Takes note* of the report of the Governing Council of the United Nations Human Settlements Programme (UN-Habitat) on the work of its nineteenth session[241] and the report of the Secretary-General on the special session of the General Assembly for an overall review and appraisal of the implementation of the outcome of the United Nations Conference on Human Settlements (Habitat II) and the strengthening of UN-Habitat;[242]

2. *Recognizes* that Governments have the primary responsibility for the sound and effective implementation of the Habitat Agenda[233] and the Declaration on Cities and Other Human Settlements in the New Millennium,[234] and stresses that the international community should fully implement its commitments to support the Governments of developing countries and countries with economies in transition in their efforts, through the provision of the requisite resources, capacity-building, the transfer of technology and the creation of an international enabling environment;

3. *Encourages* Governments to include issues pertaining to shelter and sustainable human settlements and urban poverty in their national development strategies, including poverty reduction strategy papers, where they exist;

4. *Urges* Governments to promote pro-poor investments in services and infrastructure, in particular water and sanitation, in order to improve living environments, in particular in slums and informal settlements;

5. *Encourages* Governments to establish local, national and regional urban observatories and to provide financial and substantive support to UN-Habitat for the further development of methodologies for data collection, analysis and dissemination;

6. *Also encourages* Governments to support and enable the participation of youth in the implementation of the Habitat Agenda through social, cultural and economic activities at the city level and other national- and local-level activities;

7. *Encourages* Governments and UN-Habitat to continue to promote partnerships with local authorities, non-governmental organizations, the private sector and other Habitat Agenda partners, including women's groups and academic and professional groups, in order to empower them, within the legal framework and conditions of each country, to play a more effective role in the provision of adequate shelter for all and sustainable human settlements development in an urbanizing world;

8. *Encourages* UN-Habitat to continue to work closely with other relevant agencies within the United Nations system, in particular members and observers of the United Nations Development Group and the members of the Inter-Agency Standing Committee;[243]

9. *Requests* UN-Habitat to strengthen further its efforts to make the Cities Alliance initiative an effective means for the implementation of the twin goals of the Habitat Agenda, namely, adequate shelter for all and sustainable human settlements development in an urbanizing world;

10. *Takes note with appreciation* of the efforts by the Cities Alliance partnership between the World Bank and UN-Habitat, and other donor countries, to continue to provide an important forum for policy coordination and development, as well as to provide support for the preparation of pro-poor city development strategies and slum-upgrading programmes within the legal framework and conditions of each country;

11. *Invites* the Secretary-General to incorporate the assessment of the progress towards the target of achieving a significant improvement in the lives of at least 100 million slum-dwellers by 2020 in his report on the review in 2005 of the implementation of the United Nations Millennium Declaration;[235]

12. *Welcomes* the fund-raising efforts of the Executive Director of UN-Habitat, which realized an increase in the general-purpose contributions of the United Nations Habitat and Human Settlements Foundation for the year 2003;

13. *Calls* for continued financial support to UN-Habitat through increased voluntary contributions to the Foundation, and invites Governments to provide multi-year funding to support programme implementation;

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[240] See *Official Records of the Economic and Social Council, 2003, Supplement No. 9* (E/2003/29), chap. I, sect. A.

[241] *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 8* (A/58/8).

[242] A/58/178.

[243] Established pursuant to resolution 46/182 of 19 December 1991.

14. *Requests* UN-Habitat to collaborate with the Division for Sustainable Development of the Department of Economic and Social Affairs of the Secretariat in the preparations for the twelfth session of the Commission on Sustainable Development to promote a fruitful discussion on the thematic cluster of issues on water, sanitation and human settlements;

15. *Requests* the Executive Director of UN-Habitat to inform the Governing Council of the United Nations Human Settlements Programme of the results of the discussions on the topics of water, sanitation and human settlements at the twelfth session of the Commission on Sustainable Development;

16. *Notes* that the upcoming sessions of the World Urban Forum, a non-legislative technical forum, which will be held in Barcelona in 2004 and in Vancouver in 2006, will offer an opportunity to experts to exchange experiences, best practices and lessons learned in the field of human settlements;

17. *Invites* donor countries to support the participation of representatives of the developing countries in the second and future sessions of the World Urban Forum;

18. *Requests* the Secretary-General to keep the resource needs of UN-Habitat and the United Nations Office at Nairobi under review so as to permit the delivery, in an effective manner, of necessary services to UN-Habitat and the other United Nations organs and organizations in Nairobi;

19. *Requests* UN-Habitat, as the focal point for human settlements development and for coordination of human settlements activities within the United Nations system, to work towards coordination of human settlements issues as inputs to the overall coordination of humanitarian efforts, including through its participation in the consideration by the Economic and Social Council, in the near future, of the issue of the transition from relief to development;

20. *Requests* the Secretary-General to submit a report to the General Assembly at its fifty-ninth session on the implementation of the present resolution;

21. *Decides* to include in the provisional agenda of its fifty-ninth session an item entitled "Special session of the General Assembly for an overall review and appraisal of the implementation of the outcome of the United Nations Conference on Human Settlements (Habitat II) and the strengthening of the United Nations Human Settlements Programme (UN-Habitat)".

RESOLUTION 58/227

Adopted at the 78th plenary meeting, on 23 December 2003, without a vote, on the recommendation of the Committee (A/58/491, para. 15)[244]

58/227. Rules of procedure of the Governing Council of the United Nations Human Settlements Programme (UN-Habitat)

The General Assembly,

Recalling its resolution 32/162 of 19 December 1977, in which it established the Commission on Human Settlements and the United Nations Centre for Human Settlements (Habitat),

Recalling also its resolution 56/206 of 21 December 2001, in which it decided to transform the United Nations Centre for Human Settlements (Habitat) into the secretariat of the United Nations Human Settlements Programme (UN-Habitat), and the Commission on Human Settlements into the Governing Council of UN-Habitat, a subsidiary organ of the General Assembly,

Having considered the recommendation of the Governing Council, in its resolution 19/1 of 9 May 2003,[245] that the General Assembly adopt its draft rules of procedure as contained in the annex to that resolution, and the oral statement by the Chairman of the Working Group on Rules of Procedure of the Governing Council,[246]

Adopts the draft rules of procedure of the Governing Council of the United Nations Human Settlements Programme (UN-Habitat) as contained in the annex to Governing Council resolution 19/1.[245]

RESOLUTION 58/228

Adopted at the 78th plenary meeting, on 23 December 2003, without a vote, on the recommendation of the Committee (A/58/492, para. 12)[247]

58/228. Third United Nations Conference on the Least Developed Countries

The General Assembly,

Recalling its resolution 55/279 of 12 July 2001, in which it endorsed the Brussels Declaration[248] and the Programme of Action for the Least Developed Countries for the Decade 2001–2010,[249] and its resolution 57/276 of 20 December 2002 on the Third United Nations Conference on the Least Developed Countries,

Reaffirming its resolution 55/2 of 8 September 2000, by which it adopted the United Nations Millennium Declaration, in particular paragraph 15 thereof, in which the heads of State and Government undertook to address the special needs of the least developed countries,

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[244] The draft resolution recommended in the report was introduced by the Vice-Chairperson of the Committee.

[245] See *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 8* (A/58/8), annex I.

[246] Ibid., annex II, appendix IV.

[247] The draft resolution recommended in the report was introduced by the Vice-Chairperson of the Committee.

[248] A/CONF.191/13, chap. I.

[249] Ibid., chap. II.

Recalling Economic and Social Council decision 2001/320 of 24 October 2001, in which the Council decided to establish a regular sub-item entitled "Review and coordination of the implementation of the Programme of Action for the Least Developed Countries for the Decade 2001–2010",

Taking note of Economic and Social Council resolution 2003/17 of 22 July 2003, in which the Council took note of the progress report of the Secretary-General on the implementation of the Programme of Action for the Least Developed Countries,[250]

Taking note also of Economic and Social Council decision 2003/287 of 24 July 2003, in which the Council adopted the theme "Resources mobilization and enabling environment for poverty eradication in the context of the implementation of the Programme of Action for the Least Developed Countries for the Decade 2001–2010" as the theme of its high-level segment of 2004,

Taking note further of the report of the Secretary-General,[250]

1. *Expresses its deep concern* over the weak implementation of the Programme of Action for the Least Developed Countries for the Decade 2001–2010,[249] and expresses its expectation of more vigorous implementation by all partners;

2. *Reiterates* that the Programme of Action offers a framework for partnership, based on mutual commitments by the least developed countries and their development partners to undertake concrete actions in a number of interlinked areas, as set out in the Programme of Action;

3. *Calls upon* the least developed countries to continue, with the support of their development partners, to fulfil their commitments and to promote the implementation of the actions contained in the Programme of Action by translating them into specific measures within their national development frameworks and poverty eradication strategies, in particular poverty reduction strategy papers, where they exist, with the involvement of civil society, including the private sector, on the basis of a broad-based inclusive dialogue, as well as to continue to promote an enabling environment for the effective mobilization and utilization of resources consistent with paragraph 82 of the Programme of Action;

4. *Calls upon* the development partners of the least developed countries, including the multilateral financial institutions, to fulfil their commitments regarding the effective and expeditious implementation of the Programme of Action, and urges the developed countries that have not yet done so to make concrete efforts to effectively implement their commitments on official development assistance to the least developed countries, as contained in paragraph 83 of the Programme of Action;

5. *Urges* the least developed countries and their development partners to make the Programme of Action an effective tool for the implementation of the poverty reduction strategies at the national level for the achievement of the internationally agreed development goals, including those contained in the United Nations Millennium Declaration;

6. *Invites* the United Nations system, including the Bretton Woods institutions, and all other international organizations, within their respective mandates, to support as a priority the implementation of the Programme of Action, including programmes of financial and technical cooperation devoted to the least developed countries in support of their national development programmes, including their poverty reduction strategies;

7. *Stresses* the need for the effective implementation of the Programme of Action and its annual assessment at the substantive session of the Economic and Social Council, and recognizes in this regard the critical importance of the participation of the least developed countries in the assessment process of the Programme of Action;

8. *Requests* the Secretary-General to take appropriate measures to facilitate the participation of government representatives from the least developed countries in the annual assessment by the Economic and Social Council of the Programme of Action within the context of the overall financial provisions established by the General Assembly in its resolution 1798 (XVII) of 11 December 1962 and subsequent amendments;

9. *Also requests* the Secretary-General to take appropriate measures, within existing resources and with the full participation of the regional commissions and relevant United Nations bodies, to support the participation of the least developed countries in international meetings, as well as in their preparation and consultation processes;

10. *Emphasizes* the importance of coordinating action within the United Nations system for the implementation of the Programme of Action, and calls upon the Secretary-General to take appropriate measures to ensure the efficiency and effectiveness of the Office of the High Representative for the Least Developed Countries, Landlocked Developing Countries and Small Island Developing States to fulfil its functions in accordance with General Assembly resolution 56/227 of 24 December 2001;

11. *Calls upon* the Secretary-General to submit, through the Economic and Social Council, an annual progress report on the implementation of the Programme of Action in a more analytical and results-oriented way by placing greater emphasis

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[250] A/58/86-E/2003/81.

on concrete results and indicating the progress achieved in its implementation.

RESOLUTION 58/229

Adopted at the 78th plenary meeting, on 23 December 2003, on the recommendation of the Committee (A/58/493, para. 9),[251] by a recorded vote of 157 to 4, with 10 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Ecuador, Egypt, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Serbia and Montenegro, Seychelles, Singapore, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: Israel, Marshall Islands, Micronesia (Federated States of), United States of America

Abstaining: Australia, Cameroon, Costa Rica, Dominican Republic, Honduras, Nauru, Nicaragua, Papua New Guinea, Solomon Islands, Tonga

58/229. Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources

The General Assembly,

Recalling its resolution 57/269 of 20 December 2002, and taking note of Economic and Social Council resolution 2003/59 of 24 July 2003,

Reaffirming the principle of the permanent sovereignty of peoples under foreign occupation over their natural resources,

Guided by the principles of the Charter of the United Nations, affirming the inadmissibility of the acquisition of territory by force, and recalling relevant Security Council resolutions, including resolutions 242 (1967) of 22 November 1967, 465 (1980) of 1 March 1980 and 497 (1981) of 17 December 1981,

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[252] to the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

Expressing its concern at the exploitation by Israel, the occupying Power, of the natural resources of the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

Expressing its concern also at the extensive destruction by Israel, the occupying Power, of agricultural land and orchards in the Occupied Palestinian Territory during the recent period, including the uprooting of a vast number of olive trees,

Aware of the detrimental impact of the Israeli settlements on Palestinian and other Arab natural resources, especially the confiscation of land and the forced diversion of water resources, and of the dire economic and social consequences in this regard,

Aware also of the detrimental impact on Palestinian natural resources of the wall being constructed by Israel inside the Occupied Palestinian Territory, including in and around East Jerusalem, and of its grave effect on the economic and social conditions of the Palestinian people,

Reaffirming the need for the immediate resumption of negotiations within the Middle East peace process, on the basis of Security Council resolutions 242 (1967), 338 (1973) of 22 October 1973, 425 (1978) of 19 March 1978 and 1397 (2002) of 12 March 2002, the principle of land for peace and the Quartet performance-based road map to a permanent two-State solution to the Israeli-Palestinian conflict,[253] as endorsed by the Security Council in its resolution 1515 (2003) of 19 November 2003, and for the achievement of a final settlement on all tracks,

Recalling the need to end all acts of violence, including acts of terror, provocation, incitement and destruction,

Taking note of the note by the Secretary-General transmitting the report prepared by the Economic and Social Commission for Western Asia on the economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the Occupied Palestinian Territory, including Jerusalem, and of the Arab population in the occupied Syrian Golan,[254]

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[251] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Bahrain, Brunei Darussalam, Chad, Comoros, Cuba, Djibouti, Egypt, Indonesia, Jordan, Lesotho, Malaysia, Mali, Malta, Morocco, Namibia, Oman, Pakistan, Qatar, Saudi Arabia, Senegal, Somalia, Sudan, Tunisia, Yemen and Palestine.

[252] United Nations, *Treaty Series*, vol. 75, No. 973.

[253] See S/2003/529, annex.

1. *Reaffirms* the inalienable rights of the Palestinian people and the population of the occupied Syrian Golan over their natural resources, including land and water;

2. *Calls upon* Israel, the occupying Power, not to exploit, cause loss or depletion of or endanger the natural resources in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan;

3. *Recognizes* the right of the Palestinian people to claim restitution as a result of any exploitation, loss or depletion of, or danger to, their natural resources, and expresses the hope that this issue will be dealt with in the framework of the final status negotiations between the Palestinian and Israeli sides;

4. *Requests* the Secretary-General to report to it at its fifty-ninth session on the implementation of the present resolution, and decides to include in the provisional agenda of its fifty-ninth session the item entitled "Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources".

RESOLUTION 58/230

Adopted at the 78th plenary meeting, on 23 December 2003, without a vote, on the recommendation of the Committee (A/58/494, para. 15)[255] and as orally revised

58/230. Follow-up to and implementation of the outcome of the International Conference on Financing for Development

The General Assembly,

Recalling the International Conference on Financing for Development, held in Monterrey, Mexico, from 18 to 22 March 2002, and its resolutions 56/210 B of 9 July 2002, 57/250 of 20 December 2002, 57/270 B of 23 June 2003 and 57/272 and 57/273 of 20 December 2002, as well as Economic and Social Council resolutions 2002/34 of 26 July 2002 and 2003/47 of 24 July 2003,

Taking note of the report of the Secretary-General on the implementation of and follow-up to commitments and agreements made at the International Conference on Financing for Development,[256] prepared in collaboration with the major institutional stakeholders,

Having considered the summary presented by the President of the General Assembly of the High-level Dialogue on Financing for Development, held in New York on 29 and 30 October 2003,[257]

Having also considered the summary presented by the President of the Economic and Social Council of the special high-level meeting of the Council with the Bretton Woods institutions and the World Trade Organization, held in New York on 14 April 2003,[258]

Determined to continue to implement and build further on the commitments made and agreements reached at the International Conference on Financing for Development and to strengthen the coordinated and coherent engagement of all relevant stakeholders in the financing for development process,

1. *Welcomes* the holding of the first High-level Dialogue on Financing for Development;

2. *Reiterates* the call to fully implement and to build further on the commitments made and agreements reached at the International Conference on Financing for Development;[259]

3. *Notes* the progress made in the implementation of these commitments and agreements and that much remains to be done in this context;

4. *Emphasizes* the link between financing for development and the achievement of the internationally agreed development goals, including those contained in the United Nations Millennium Declaration;[260]

5. *Stresses*, in order to complement national development efforts, the importance of full implementation of the commitment to enhance further the coherence and consistency of international monetary, financial and trading systems, and in this context requests the Secretary-General to keep actions under review;

6. *Recognizes* initiatives taken to enhance the voice, participation and representation of developing countries and countries with economies in transition in the work and decision-making processes of the intergovernmental bodies of institutional stakeholders, and invites them to continue and strengthen actions aimed at reaching decisions in this regard;

7. *Invites* the World Trade Organization to strengthen its institutional relationship with the United Nations, in particular through its active involvement in the meetings of the General Assembly and the Economic and Social Council

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[254] A/58/75-E/2003/21.

[255] The draft resolution recommended in the report was introduced by the Vice-Chairman of the Committee.

[256] A/58/216.

[257] A/58/555 and Corr.1.

[258] A/58/77-E/2003/62.

[259] See *Report of the International Conference on Financing for Development, Monterrey, Mexico, 18–22 March 2002* (United Nations publication, Sales No. E.02.II.A.7).

[260] See resolution 55/2.

devoted to financing for development, and through its participation in the preparation of the annual report on the implementation of and follow-up to the commitments made and agreements reached at the International Conference on Financing for Development;

8. *Welcomes* the decisions by the major institutional stakeholders of the International Conference on Financing for Development to include in the agendas of their intergovernmental bodies relevant items on the implementation of the Monterrey Consensus of the International Conference on Financing for Development,[261] and invites all major institutional stakeholders to consider doing so, in accordance with paragraph 70 of the Monterrey Consensus, and to make a contribution to the assessment of progress made to the High-level Dialogue on Financing for Development of the General Assembly and to the spring meeting of the Economic and Social Council;

9. *Requests* the United Nations Conference on Trade and Development, in cooperation with other relevant stakeholders, to continue to address in a comprehensive way commodities issues and their impact on financing for development;

10. *Requests* the Economic and Social Council, in its examination of the report of the Ad Hoc Group of Experts on International Cooperation in Tax Matters at its next substantive session to give consideration to the institutional framework for international cooperation in tax matters;

11. *Recalls* paragraph 69 of the Monterrey Consensus and building on the experience of the high-level spring meeting of the Economic and Social Council and the High-level Dialogue of the General Assembly in 2003, in the context of the integrated approach to the follow-up to and implementation of the commitments made and agreements reached at the International Conference on Financing for Development, requests:

(*a*) The President of the General Assembly, in coordination with the President of the Economic and Social Council, to strengthen the preparations, with all major institutional and other stakeholders, of matters relevant to the organization of the High-level Dialogue, in consultation with all Member States;

(*b*) The President of the Economic and Social Council, with support from the Vice-Presidents, to enhance the Council's interactions through regular exchanges with the Bretton Woods institutions, the World Trade Organization and the United Nations Conference on Trade and Development on organizational matters related to the follow-up to the International Conference on Financing for Development, within the context of the preparations for the high-level meeting with these institutions, bearing in mind General Assembly resolution 57/270 B and Economic and Social Council resolution 2003/47, and to report thereon to the Council;

(*c*) The President of the Economic and Social Council, in consultation with all major institutional stakeholders, to focus the annual special high-level meeting on specific issues, within the holistic integrated approach of the Monterrey Consensus, and to report thereon to the Council;

12. *Invites* the regional commissions, with the support of regional development banks, as appropriate, and in cooperation with United Nations funds and programmes, to use the opportunity of their regular intergovernmental sessions to hold special meetings within existing resources, as necessary, to address the regional and interregional aspects of the follow-up to the International Conference on Financing for Development and thus help to bridge any gaps between the national, regional and international dimensions of the implementation of the Monterrey Consensus and serve as inputs to the High-level Dialogue as well as to the spring meeting of the Economic and Social Council;

13. *Welcomes* the establishment of the Financing for Development Office in the Department of Economic and Social Affairs of the Secretariat, and in this regard reiterates the need to fully implement resolution 57/273 to enable the Office to provide effective support to the intergovernmental process entrusted with the follow-up to the International Conference on Financing for Development, and to facilitate the participation of all stakeholders in accordance with the rules of procedure of the United Nations, in particular the accreditation procedures and modalities of participation utilized at the Conference and in its preparatory process, as well as to continue within its mandate:

(*a*) To organize workshops and multi-stakeholder consultations, including experts from the official and private sectors, as well as academia and civil society, to examine issues related to the mobilization of resources for financing development and poverty eradication;

(*b*) To convene activities involving various stakeholders, including the private sector and civil society, as appropriate, to promote best practices and exchange information on the implementation of the commitments made and agreements reached at the International Conference for Financing for Development;

14. *Decides* to consider at its fifty-ninth session possible innovative sources of financing for development, and requests the Secretary-General to submit the result of the analysis on this issue as called for in paragraph 44 of the Monterrey Consensus;

15. *Invites* countries to report by 2005, inter alia, through existing reporting mechanisms, on their efforts to implement the Monterrey Consensus, bearing in mind the need

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[261] *Report of the International Conference on Financing for Development, Monterrey, Mexico, 18–22 March 2002* (United Nations publication, Sales No. E.02.II.A.7), chap. I, resolution 1, annex.

to achieve the internationally agreed development goals, including those contained in the Millennium Declaration;

16. *Decides* to hold the 2005 High-level Dialogue on Financing for Development at the ministerial level; the time and modalities of the High-level Dialogue will be set by the General Assembly at its fifty-ninth session, taking into account other major events in the same year and the need for adequate provisions for an enhanced dialogue;

17. *Also decides* to include in the provisional agenda of its fifty-ninth session an item entitled "Follow-up to and implementation of the outcome of the International Conference on Financing for Development", and requests the Secretary-General to submit an annual analytical assessment of the state of the implementation of the Monterrey Consensus, including the implementation of the present resolution, to be prepared in full collaboration with the major institutional stakeholders.

RESOLUTION 58/231

Adopted at the 78th plenary meeting, on 23 December 2003, without a vote, on the recommendation of the Committee (A/58/495 and Corr.1, para. 17)[262]

58/231. Public administration and development

The General Assembly,

Recalling its resolutions 50/225 of 19 April 1996, 53/201 of 15 December 1998, 56/213 of 21 December 2001 and 57/277 of 20 December 2002 on public administration and development, as well as Economic and Social Council resolution 2001/45 of 20 December 2001,

Stressing the need for capacity-building initiatives aimed at institution-building, human resources development, strengthening financial management and harnessing the power of information and technology,

Recalling that 2006 will mark the tenth anniversary of the resumed fiftieth session of the General Assembly, on public administration and development,

Welcoming the adoption of the Ibero-American Charter for the Public Service at the fifth Ibero-American Conference of Ministers for Public Administration and State Reform, held in Santa Cruz de la Sierra, Bolivia, on 26 and 27 June 2003,[263]

Expressing its deep appreciation for the generosity of the Government of Mexico in hosting the fifth Global Forum on Reinventing Government, held in Mexico City from 3 to 7 November 2003,

Welcoming e-Government initiatives as a tool to promote development,

Welcoming also the adoption of the United Nations Convention against Corruption,[264]

1. *Takes note* of the report of the Secretary-General on the role of public administration in the implementation of the United Nations Millennium Declaration;[265]

2. *Reiterates* that efficient, accountable, effective and transparent public administration, at both the national and international levels, has a key role to play in the implementation of the internationally agreed development goals, including those contained in the United Nations Millennium Declaration,[266] and in that context stresses the need to strengthen national public sector administrative and managerial capacity-building, in particular in developing countries and countries with economies in transition;

3. *Takes note with appreciation* of the commemoration of 23 June as United Nations Public Service Day and the granting of the United Nations Public Service Awards, which provide motivation for public servants all over the world to enhance public administration as a tool for development, and in this regard encourages Member States to participate in the award process by nominating candidates;

4. *Also takes note with appreciation* of the Marrakech Declaration, adopted by the Fourth Global Forum on Reinventing Government, held in Marrakech, Morocco, from 11 to 13 December 2002;[267]

5. *Welcomes with appreciation* the offer of the Government of the Republic of Korea to host the Sixth Global Forum on Reinventing Government in Seoul in 2005;

6. *Requests* the Secretary-General to make proposals for commemorating the tenth anniversary of the resumed fiftieth session of the General Assembly, on public administration and development, during the sixty-first session of the General Assembly, in 2006;

7. *Also requests* the Secretary-General to support information exchange and research and to disseminate successful practices and advisory services in public administration that contribute to achieving the internationally agreed development goals, including those contained in the Millennium Declaration;

8. *Encourages* the Secretary-General to continue supporting the e-Government initiatives in the African, Asian, Central American and Caribbean regions as a tool for development;

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[262] The draft resolution recommended in the report was introduced by the Vice-Chairperson of the Committee.

[263] A/58/193, annex II.

[264] Resolution 58/4, annex.

[265] A/58/152.

[266] See resolution 55/2.

[267] A/58/383, annex.

9. *Requests* the Secretary-General to submit a report to the General Assembly at its fifty-ninth session on the implementation of the present resolution.

RESOLUTION 58/232

Adopted at the 78th plenary meeting, on 23 December 2003, without a vote, on the recommendation of the Committee (A/58/495 and Corr.1, para. 17)[268]

58/232. Agreement between the United Nations and the World Tourism Organization

The General Assembly,

Recalling its resolutions 2529 (XXIV) of 5 December 1969, 32/156 and 32/157 of 19 December 1977 and 36/41 of 19 November 1981,

Having considered Economic and Social Council resolution 2003/2 of 10 July 2003, the annex to which contains the text of the draft agreement negotiated by the Committee on Negotiations with Intergovernmental Agencies of the Economic and Social Council and the World Tourism Organization Committee on the Negotiations for the Conversion of the Organization into a Specialized Agency, intended to transform the World Tourism Organization, an intergovernmental organization, into a specialized agency, in accordance with Articles 57 and 63 of the Charter of the United Nations,

Approves the agreement between the United Nations and the World Tourism Organization as set forth in the annex to the present resolution.

Annex

Agreement between the United Nations and the World Tourism Organization

Recalling resolutions 2529 (XXIV) of 5 December 1969 and 32/156 of 19 December 1977 of the General Assembly of the United Nations,

In consideration of the Charter of the United Nations and the Statutes of the World Tourism Organization,

In further consideration of the provisions of Article 57 of the Charter of the United Nations and of article 3, paragraph 3, and article 31 of the Statutes of the World Tourism Organization,

The United Nations and the World Tourism Organization agree as follows:

Article 1
Recognition

1. The United Nations recognizes the World Tourism Organization as a specialized agency of the United Nations responsible for taking such action as may be appropriate under its Statutes for the accomplishment of the objectives set forth therein.

2. The United Nations recognizes the decisive and central role of the World Tourism Organization, as an intergovernmental organization, in world tourism, as enshrined in its Statutes.

3. Convinced that tourism can contribute significantly to the pursuit of the shared objectives of achieving sustainable development and poverty eradication, the United Nations notes that, in accordance with its Statutes, the World Tourism Organization shall pay particular attention to the interests of the developing countries in the field of tourism.

Article 2
Coordination and cooperation

1. In its relations with the United Nations, its organs and the agencies of the United Nations system, the World Tourism Organization recognizes the coordinating role, as well as the comprehensive responsibilities in promoting economic and social development, of the General Assembly and the Economic and Social Council under the Charter of the United Nations.

2. In exercise of its central coordinating role in the field of tourism undertaken in accordance with its Statutes and with a view to contributing to economic and social development, in particular opportunities for poverty eradication and employment creation in the least developed countries, the World Tourism Organization recognizes the need for effective coordination and cooperation with the United Nations, its organs and the agencies of the United Nations system.

3. The World Tourism Organization, accordingly, agrees to cooperate with the United Nations in whatever measure may be necessary to effect the required coordination of policies and activities.

4. The World Tourism Organization agrees further to participate in, and to cooperate with, any body or bodies that have been established or may be established by the United Nations for the purpose of facilitating such cooperation and coordination, in particular through membership in the United Nations System Chief Executives Board for Coordination, and to furnish such information as may be required for the carrying out of this purpose.

5. The World Tourism Organization shall inform the Economic and Social Council of matters of inter-agency concern within its competence and of any formal agreement on such matters to be concluded between the World Tourism Organization and another agency within the United Nations system.

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[268] The draft resolution recommended in the report was introduced by the Chairman of the Committee.

Article 3
Reciprocal representation

1. Representatives of the United Nations shall be invited to attend the meetings of the General Assembly and the Executive Council of the World Tourism Organization and their subsidiary organs, and to participate, without the right to vote, in the deliberations of these bodies. Written statements presented by the United Nations shall be distributed by the secretariat of the World Tourism Organization to the members of the above-mentioned bodies, in accordance with the relevant rules of procedure.

2. Representatives of the World Tourism Organization shall be invited to attend meetings and to participate, without the right to vote and in accordance with the relevant rules of procedure, in the deliberations of the Economic and Social Council, its commissions and its committees, of the Main Committees and other organs of the General Assembly and of the conferences and meetings of the United Nations, with respect to items on their agenda relating to matters within the scope of the activities of the World Tourism Organization and other matters of mutual interest. Written statements presented by the World Tourism Organization shall be distributed by the Secretariat of the United Nations to the members of the above-mentioned bodies, in accordance with the relevant rules of procedure.

3. Representatives of the World Tourism Organization shall be invited, for purposes of consultation, to attend meetings of the General Assembly when matters defined in paragraph 2 of the present article are under consideration.

Article 4
Proposals of agenda items

1. After such preliminary consultations as may be necessary, the World Tourism Organization shall arrange for the inclusion in the agenda of its General Assembly, the Executive Council or their subsidiary bodies, as appropriate, items proposed by the United Nations.

2. After such preliminary consultations as may be necessary, the United Nations shall arrange for the inclusion in the agenda of the Economic and Social Council or, as appropriate and in accordance with the relevant rules of procedure, of other organs or bodies of the United Nations of items proposed by the World Tourism Organization.

Article 5
Recommendations of the United Nations

1. Having regard to the obligations of the United Nations to promote the objectives set forth in Article 55 of the Charter of the United Nations and the functions and powers of the Economic and Social Council, under Article 62 of the Charter, to make or initiate studies and reports with respect to international economic, social, cultural, educational, health and related matters and to make recommendations concerning these matters to the specialized agencies concerned, and having regard also to the responsibility of the United Nations, under Articles 58 and 63 of the Charter, to make recommendations for the coordination of the policies and activities of such specialized agencies, the World Tourism Organization agrees to arrange for the submission, as soon as possible, to the appropriate organ of the World Tourism Organization of all formal recommendations which the United Nations may make to it.

2. The World Tourism Organization agrees to enter into consultations with the United Nations upon request with respect to such recommendations, and in due course to report to the United Nations on the action taken by the World Tourism Organization or by its members to give effect to such recommendations, or on the other results of their consideration.

Article 6
Assistance to the United Nations

In accordance with the Charter of the United Nations and the Statutes of the World Tourism Organization, the World Tourism Organization shall cooperate with the United Nations by furnishing to it to the fullest extent possible such special information or studies, and by rendering such assistance to it as the United Nations may request.

Article 7
Regular reports

The World Tourism Organization shall submit to the United Nations regular reports on its activities.

Article 8
Exchange of information and documents

Subject to such arrangements as may be necessary for the safeguarding of confidential material, full and prompt exchange of appropriate information and documents shall be made between the United Nations and the World Tourism Organization.

Article 9
Public information

Having regard to the aim of the World Tourism Organization, as defined in article 3, paragraph 1, of its Statutes, and with a view to coordinating the activities of the World Tourism Organization in this field with the operations of the information services of the United Nations, supplementary arrangements regarding these matters shall be concluded between the United Nations and the World Tourism Organization.

Article 10
Relations with the International Court of Justice

1. The World Tourism Organization agrees to furnish any information which may be requested by the International Court of Justice in pursuance of Article 34 of the Statute of the Court.

2. The General Assembly of the United Nations authorizes the World Tourism Organization to request advisory opinions of the International Court of Justice on legal questions arising within the scope of its competence other than questions concerning the mutual relationships between the United Nations and the World Tourism Organization or other specialized agencies.

3. Such requests may be addressed to the International Court of Justice by the General Assembly or by the Executive Council of the World Tourism Organization acting in pursuance of an authorization by the General Assembly of the World Tourism Organization.

4. When requesting the International Court of Justice to give an advisory opinion, the World Tourism Organization shall inform the Economic and Social Council of the request.

Article 11
Non-Self-Governing and other Territories

The World Tourism Organization agrees to cooperate within the fields of its competence with the United Nations in giving effect to the principles and obligations set forth in Chapters XI, XII and XIII of the Charter of the United Nations and other internationally recognized principles and obligations regarding colonial countries and peoples, and taking into account the relevant resolutions of the General Assembly of the United Nations, with regard to matters affecting the well-being and development of the peoples of the Non-Self-Governing and other Territories.

Article 12
Technical assistance

The United Nations and the World Tourism Organization undertake to work together in the provision of technical assistance in the field of tourism and tourism development. In particular, they undertake to avoid undesirable duplication of activities and services and agree to take such measures as may be required to achieve effective coordination within the framework of existing coordinating machinery in the field of technical assistance, taking into account the respective roles and responsibilities of the United Nations and the World Tourism Organization under their constituent instruments, as well as those of other organizations participating in technical assistance activities. To this end, the World Tourism Organization recognizes the overall responsibilities of the resident coordinators for operational activities for development, as formulated in the relevant General Assembly resolutions. As one of the smaller specialized agencies without field representation, the World Tourism Organization may use resident coordinators to ensure its representation and promote its role.

Article 13
Statistical services

1. The United Nations and the World Tourism Organization agree to strive for the maximum cooperation, the elimination of all undesirable duplication between them and the most efficient use of personnel in their respective collection, analysis, publication and dissemination of statistical information. They agree to combine their efforts to secure the greatest possible usefulness and utilization of statistical information, to guarantee close coordination in their respective statistical initiatives and to minimize the burden placed upon Governments and other organizations from which such information may be collected.

2. The World Tourism Organization recognizes that the United Nations is the central agency for the collection, analysis, publication, standardization and improvement of tourism statistics serving the general purposes of international organizations.

3. The United Nations recognizes the World Tourism Organization as the appropriate organization to collect, to analyse, to publish, to standardize and to improve the statistics of tourism and to promote the integration of these statistics within the sphere of the United Nations system.

Article 14
Administrative cooperation

1. The United Nations and the World Tourism Organization recognize the desirability of cooperation in administrative matters of mutual interest.

2. Accordingly, the United Nations and the World Tourism Organization undertake to consult together, and with other agencies concerned within the United Nations system, from time to time concerning these matters, particularly the most efficient and harmonized use of facilities, staff and services and appropriate methods of avoiding the establishment and operation of competitive or overlapping facilities and services with a view to securing as much uniformity in these matters as possible.

3. The consultations referred to in the present article shall be utilized to establish the most equitable manner in which any special services or assistance furnished, on request, by the World Tourism Organization to the United Nations or by the United Nations to the World Tourism Organization shall be financed subject to supplementary arrangements to be concluded for that purpose.

4. The consultations referred to in the present article shall also explore the possibility of continuing or establishing common facilities or services in specific areas, including the possibility of one organization providing such facilities or services to one or several other organizations, and establish the most equitable manner in which such facilities or services shall be financed subject to supplementary arrangements to be concluded for that purpose.

Article 15
Regional and branch offices

Any regional or branch offices which the World Tourism Organization may establish shall closely cooperate with the regional or branch offices which the United Nations has established or may establish, in particular the offices of the regional commissions and of the resident coordinators.

Article 16
Personnel arrangements

1. The United Nations and the World Tourism Organization agree to develop, in the interests of uniform standards of international employment and to the extent feasible, common personnel standards, methods and arrangements designed to avoid unjustified differences in terms and conditions of employment, to avoid competition in recruitment of personnel and to facilitate any mutually desirable and beneficial interchange of personnel. For this purpose the World Tourism Organization agrees to accept the Statute of the International Civil Service Commission and participate in the United Nations Joint Staff Pension Fund in accordance with the Regulations of the Fund and accept the jurisdiction of the United Nations Administrative Tribunal in matters involving applications alleging non-observance of those Regulations.

2. The United Nations and the World Tourism Organization agree to cooperate to the fullest extent possible in achieving these ends, and in particular they agree:

(*a*) To consult together from time to time concerning matters of mutual interest relating to the terms and conditions of employment of the officers and staff, with a view to securing as much uniformity in these matters as may be feasible;

(*b*) To cooperate in the interchange of personnel when desirable, on a temporary or a permanent basis, making due provision for the retention of seniority and pension rights;

(*c*) To cooperate with the agencies of the United Nations system in the establishment and operation of suitable machinery for the settlement of disputes arising in connection with the employment of personnel and related matters.

3. The terms and conditions under which any facilities or services of the United Nations or the World Tourism Organization in connection with the matters referred to in the present article are to be extended to the other shall, where necessary, be the subject of supplementary arrangements concluded for this purpose pursuant to article 20 of the present Agreement.

Article 17
Budgetary and financial matters

1. The World Tourism Organization recognizes the desirability of establishing close budgetary and financial relationships with the United Nations in order that the administrative operations of the United Nations and the agencies within the United Nations system shall be carried out in the most efficient and economic manner possible, and that the maximum measure of coordination and uniformity with respect to these operations shall be secured.

2. The World Tourism Organization agrees to accept the Statute of the Joint Inspection Unit.

3. The World Tourism Organization agrees to conform, as far as may be practicable and appropriate, to standard practices and forms recommended by the United Nations.

4. Financial and budgetary arrangements that may be entered into between the United Nations and the World Tourism Organization shall be approved in accordance with their respective constitutive instruments.

5. In the preparation of the budget of the World Tourism Organization, the Secretary-General of the World Tourism Organization shall consult with the Secretary-General of the United Nations with a view to achieving, insofar as practicable, uniformity in presentation of the budgets of the United Nations and of the agencies within the United Nations system for the purposes of providing a basis for comparison of the several budgets without precluding the use by each organization of different currencies to formulate its budget.

6. The World Tourism Organization agrees to transmit its proposed budgets to the United Nations not later than when the said budgets are transmitted to its members so as to enable the General Assembly of the United Nations to examine them and make recommendations, in accordance with Article 17, paragraph 3, of the Charter of the United Nations.

7. Representatives of the World Tourism Organization shall be entitled to participate, without vote, in the deliberations of the General Assembly or any committee thereof established by it, at all times when the budget of the World Tourism Organization or general administrative or financial questions concerning the World Tourism Organization are under consideration.

Article 18
United Nations laissez-passer

Officials of the World Tourism Organization shall be entitled, in accordance with such special arrangements as may be concluded between the Secretary-General of the United Nations and the Secretary-General of the World Tourism Organization, to use laissez-passer of the United Nations.

Article 19
Implementation of the Agreement

The Secretary-General of the United Nations and the Secretary-General of the World Tourism Organization may enter into such supplementary arrangements for the implementation of the present Agreement as may be found desirable.

Article 20
Amendment and revision

The present Agreement may be amended or revised by agreement between the United Nations and the World Tourism Organization, and any such amendment or revision shall come into force on its approval by the General Assembly of the United Nations and the General Assembly of the World Tourism Organization.

Article 21
Entry into force

The present Agreement enters into force on its approval by the General Assembly of the United Nations and the General Assembly of the World Tourism Organization.

RESOLUTION 58/242

Adopted at the 79th plenary meeting, on 23 December 2003, without a vote, on the recommendation of the Committee (A/58/484/Add.2, para. 14)[269]

58/242. Implementation of the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa

The General Assembly,

Recalling its resolutions 56/196 of 21 December 2001 and 57/259 of 20 December 2002 and other resolutions relating to the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa,[270]

Recognizing the strong commitment of the international community, demonstrated at the World Summit on Sustainable Development[271] and the Second Assembly of the Global Environment Facility, to make the Facility available as a financial mechanism of the Convention, pursuant to article 21 of the Convention,

Recognizing also the role of the Conference of the Parties to the Convention, as the highest decision-making body, in providing guidance on matters regarding the implementation of the Convention and in encouraging financial mechanisms to seek to maximize the availability of resources for affected developing countries, while respecting the respective mandates of the mechanisms,

Reaffirming that the Convention is an important tool for poverty eradication, particularly in Africa, and recognizing the importance of the implementation of the Convention for meeting the internationally agreed development goals, including those contained in the United Nations Millennium Declaration,[272]

Reaffirming also the universal membership of the Convention, and acknowledging that desertification and drought are problems of a global dimension, in that they affect all regions of the world,

Expressing its deep appreciation and gratitude to the Government of Cuba for hosting the sixth session of the Conference of the Parties to the Convention in Havana from 25 August to 5 September 2003,

1. *Takes note* of the report of the Secretary-General;[273]

2. *Welcomes* the decision of the Conference of the Parties to the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa, at its sixth session, to accept the Global Environment Facility as a financial mechanism of the Convention, pursuant to article 21 of the Convention;

3. *Also welcomes* the decision of the Council of the Global Environment Facility at its meeting, held in Washington, D.C., from 14 to 16 May 2003, to establish a new operational programme on sustainable land management, and, in that regard, urges the Executive Secretary, in collaboration with the Managing Director of the Global Mechanism, to consult with the Chief Executive Officer and Chairman of the Global Environment Facility, with a view to preparing and agreeing upon a memorandum of understanding, as mandated by the Conference of the Parties, for the consideration of and adoption by the Conference of Parties and the Council of the Global Environment Facility;

4. *Further welcomes* the outcome of the Second Assembly of the Global Environment Facility, held in Beijing from 16 to 18 October 2002, in particular the decision to designate land degradation as a new focal area of the Facility, which will, inter alia, support the implementation of the Convention;

5. *Notes with appreciation* the increased number of affected developing country parties that have adopted their national, subregional and regional action programmes, and urges affected developing countries that have not yet done so to

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[269] The draft resolution recommended in the report was sponsored in the Committee by Morocco (on behalf of the States Members of the United Nations that are members of the Group of 77 and China).

[270] United Nations, *Treaty Series*, vol. 1954, No. 33480.

[271] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 1, annex, and resolution 2, annex.

[272] See resolution 55/2.

[273] A/58/158.

accelerate the process of elaboration and adoption of their action programmes, with a view to finalizing them as soon as possible;

6. *Invites* affected developing countries to place the implementation of their action programmes to combat desertification high among their priorities in their dialogue with their development partners;

7. *Calls upon* affected parties, with the collaboration of relevant multilateral organizations, including the Global Environment Facility implementation agencies, to integrate desertification into their strategies for sustainable development;

8. *Urges* the international community to take effective measures for the implementation of the Convention through bilateral and multilateral cooperation programmes;

9. *Urges* the United Nations funds and programmes, the Bretton Woods institutions, the donor countries and other development agencies to integrate actions in support of the Convention in their strategies to support the achievement of internationally agreed development goals, including those contained in the United Nations Millennium Declaration;[272]

10. *Welcomes* the strengthened cooperation between the secretariat of the Convention and the Global Mechanism through the elaboration and implementation of a joint work plan aimed at maximizing the impact of resources and actions, avoiding duplication and overlap and tapping into the expertise, added value and network of each organization in a collaborative manner as action programmes are implemented;

11. *Invites* all parties to pay promptly and in full the contributions required for the core budget of the Convention for the biennium 2002–2003, and urges all parties that have not yet paid their contributions for the year 1999 and/or the biennium 2000–2001 to do so as soon as possible in order to ensure continuity in the cash flow required to finance the ongoing work of the Conference of the Parties, the secretariat and the Global Mechanism;

12. *Calls upon* Governments, and invites multilateral financial institutions, regional development banks, regional economic integration organizations and all other interested organizations, as well as non-governmental organizations and the private sector, to contribute generously to the General Fund, the Supplementary Fund and the Special Fund, in accordance with the relevant paragraphs of the financial rules of the Conference of the Parties,[274] and welcomes the financial support already provided by some countries;

13. *Takes note* of Conference of the Parties decision 23/COP.6 of 5 September 2003 on the programme and budget for the biennium 2004–2005,[275] as an ongoing process of the Conference of the Parties to undertake a comprehensive review of the activities of the secretariat, as defined in article 23, paragraph 2, of the Convention;

14. *Requests* the Secretary-General to make provision for the sessions of the Conference of the Parties and its subsidiary bodies, including the seventh ordinary session of the Conference and the meetings of its subsidiary bodies, in his proposal for the programme budget for the biennium 2004–2005;

15. *Also requests* the Secretary-General to report to the General Assembly at its fifty-ninth session on the implementation of the present resolution;

16. *Decides* to include in the provisional agenda of its fifty-ninth session the sub-item entitled "Implementation of the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa".

RESOLUTION 58/243

Adopted at the 79th plenary meeting, on 23 December 2003, without a vote, on the recommendation of the Committee (A/58/484/Add.6, para. 11)[276]

58/243. Protection of global climate for present and future generations of mankind

The General Assembly,

Recalling its resolution 54/222 of 22 December 1999, its decision 55/443 of 20 December 2000 and its resolutions 56/199 of 21 December 2001 and 57/257 of 20 December 2002 and other resolutions relating to the protection of the global climate for present and future generations of mankind,

Recalling also the provisions of the United Nations Framework Convention on Climate Change,[277] including the acknowledgement that the global nature of climate change calls for the widest possible cooperation by all countries and their participation in an effective and appropriate international response, in accordance with their common but differentiated responsibilities and respective capabilities and their social and economic conditions,

Recalling further the Johannesburg Declaration on Sustainable Development,[278] the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg

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[274] ICCD/COP(1)/11/Add.1 and Corr.1, decision 2/COP.1, annex, paras. 7–11.

[275] See ICCD/COP(6)/11/Add.1.

[276] The draft resolution recommended in the report was sponsored in the Committee by Morocco (on behalf of the States Members of the United Nations that are members of the Group of 77 and China).

[277] United Nations, *Treaty Series*, vol. 1771, No. 30822.

[278] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 1, annex.

Plan of Implementation")[279] and the Delhi Ministerial Declaration on Climate Change and Sustainable Development, adopted by the Conference of the Parties to the United Nations Framework Convention on Climate Change at its eighth session, held in New Delhi from 23 October to 1 November 2002,[280]

Noting that one hundred and eighty-eight States and one regional economic integration organization have ratified the Convention,

Remaining deeply concerned that all countries, in particular developing countries, including the least developed countries and small island developing States, face increased risks from the negative impacts of climate change,

Noting the work of the Intergovernmental Panel on Climate Change and the need to build and enhance scientific and technological capabilities, inter alia, through continuing support to the Panel for the exchange of scientific data and information, especially in developing countries,

Noting also that, to date, the Kyoto Protocol to the United Nations Framework Convention on Climate Change[281] has attracted one hundred and nineteen ratifications, including from parties mentioned in annex I to the Convention, who account for 44.2 per cent of emissions,

Recalling the United Nations Millennium Declaration,[282] in which heads of State and Government resolved to make every effort to ensure the entry into force of the Kyoto Protocol, preferably by the tenth anniversary of the United Nations Conference on Environment and Development in 2002, and to embark on the required reduction in emissions of greenhouse gases,[283]

Taking note of the report of the Executive Secretary of the United Nations Framework Convention on Climate Change on the work of the Conference of the Parties to the Convention,[284]

1. *Calls upon* States to work cooperatively towards achieving the ultimate objective of the United Nations Framework Convention on Climate Change;[277]

2. *Notes* that States that have ratified the Kyoto Protocol to the United Nations Framework Convention on Climate Change[281] strongly urge States that have not already done so to ratify it in a timely manner;

3. *Notes with interest* the preparations undertaken for the implementation of the flexible mechanisms established by the Kyoto Protocol;

4. *Notes* the ongoing work of the liaison group of the secretariats and officers of the relevant subsidiary bodies of the United Nations Framework Convention on Climate Change, the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa,[285] and the Convention on Biological Diversity,[286] and encourages cooperation to promote complementarities among the three secretariats while respecting their independent legal status;

5. *Requests* the Secretary-General to make provisions for the sessions of the Conference of the Parties to the United Nations Framework Convention on Climate Change and its subsidiary bodies in his proposal for the programme budget for the biennium 2004–2005;

6. *Invites* the Executive Secretary of the United Nations Framework Convention on Climate Change to report to the General Assembly at its fifty-ninth session on the work of the Conference of the Parties;

7. *Invites* the conferences of the parties to the multilateral environmental conventions, when setting the dates of their meetings, to take into consideration the schedule of meetings of the General Assembly and the Commission on Sustainable Development so as to ensure the adequate representation of developing countries at those meetings;

8. *Decides* to include in the provisional agenda of its fifty-ninth session the sub-item entitled "Protection of global climate for present and future generations of mankind".

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[279] Ibid., resolution 2, annex.

[280] FCCC/CP/2002/7/Add.1, decision 1/CP.8.

[281] FCCC/CP/1997/7/Add.1, decision 1/CP.3, annex.

[282] See resolution 55/2.

[283] Ibid., para. 23.

[284] A/58/308.

[285] United Nations, *Treaty Series*, vol. 1954, No. 33480.

[286] Ibid., vol. 1760, No. 30619.

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RESOLUTION 58/15

Adopted at the 68th plenary meeting, on 3 December 2003, without a vote, on the recommendation of the Committee (A/58/497 (Part I), para. 18)[1]

58/15. Preparations for and observance of the tenth anniversary of the International Year of the Family in 2004

The General Assembly,

Recalling its resolutions 44/82 of 8 December 1989, 45/133 of 14 December 1990, 46/92 of 16 December 1991, 47/237 of 20 September 1993, 50/142 of 21 December 1995, 52/81 of 12 December 1997, 54/124 of 17 December 1999, 56/113 of 19 December 2001 and 57/164 of 18 December 2002 concerning the proclamation of, preparations for and observance of the International Year of the Family in 1994 and its tenth anniversary in 2004,

Recognizing that the tenth anniversary of the International Year of the Family constitutes an important opportunity to strengthen and enhance the effectiveness of efforts at all levels to carry out specific programmes within the framework of the objectives of the Year,

Recognizing also that 2004 is to be viewed as a target year by which time concrete achievements will have been produced with respect to identifying and elaborating issues of direct concern to families and mechanisms will have been set up to plan and coordinate activities by the appropriate governmental and non-governmental bodies and agencies,

Emphasizing that equality between women and men and respect for all human rights and fundamental freedoms of all family members are essential to family well-being and to society at large, noting the importance of reconciliation of work and family life, and recognizing the principle that both parents have common responsibilities for the upbringing and development of the child,

Noting with satisfaction the close collaboration of the Department of Economic and Social Affairs of the Secretariat with intergovernmental and non-governmental organizations active in the family field, as well as its research efforts and preparations for the tenth anniversary of the International Year of the Family,

Appreciating the active role of the regional commissions in the preparatory process of the tenth anniversary of the International Year of the Family, particularly in facilitating regional cooperation in that regard,

Recalling that one plenary meeting at its fifty-ninth session, in 2004, will be devoted to the observance of the tenth anniversary of the International Year of the Family, building upon the events to be held on 15 May 2004 on the occasion of the International Day of Families,

1. *Welcomes* the decision of Benin to host a regional preparatory conference in Benin in May 2004 in collaboration with the United Nations, within existing resources;

2. *Also welcomes* the decision of the State of Qatar to host an international conference to celebrate the tenth anniversary of the International Year of the Family in November 2004;

3. *Welcomes* the launching by the Secretary-General of the celebration of the tenth anniversary of the International Year of the Family on 4 December 2003;

4. *Further welcomes* decisions by members of the international community (Governments, non-governmental organizations, civil society) to host events in observance of the tenth anniversary of the International Year of the Family;

5. *Encourages* Governments to make every possible effort to realize the objectives of the tenth anniversary of the International Year of the Family and to integrate a family perspective in the planning process;

6. *Recalls its invitation* to all States to set the end of 2003 as a target date for finalizing a programme for the observance of the tenth anniversary of the International Year of the Family;

7. *Also recalls its invitation* to Governments that had not already done so to set up national coordinating committees or similar mechanisms, as appropriate, for the tenth anniversary of the International Year of the Family, and invites them, as well as the Governments of countries with existing bodies responsible for preparations and observance, to intensify preparatory measures already under way;

8. *Recommends* that all relevant actors, inter alia, Governments, civil society, including relevant non-governmental organizations, and research and academic institutions, contribute to developing strategies and programmes aimed at strengthening the livelihood of families;

9. *Encourages* United Nations agencies and bodies, including the regional commissions, as well as intergovernmental and non-governmental organizations and research and academic

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[1] The draft resolution recommended in the report was submitted by the Economic and Social Council and amended by: Afghanistan, Algeria, Angola, Armenia, Azerbaijan, Bangladesh, Belize, Benin, Bhutan, Botswana, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, China, Comoros, Congo, Côte d'Ivoire, Democratic Republic of the Congo, Dominica, Dominican Republic, Egypt, Eritrea, Ethiopia, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Indonesia, Kenya, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Mali, Mauritius, Mongolia, Morocco, Myanmar, Namibia, Niger, Nigeria, Oman, Pakistan, Panama, Qatar, Russian Federation, Rwanda, Saint Lucia, Saudi Arabia, Senegal, Sierra Leone, South Africa, Sudan, Suriname, Swaziland, Thailand, Timor-Leste, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, United States of America, Yemen, Zambia and Zimbabwe.

institutions, to work closely with the Department of Economic and Social Affairs of the Secretariat in a coordinated manner on family-related issues, inter alia, by sharing experience and findings, in recognition of their valuable role in family policy development at all levels;

10. *Calls upon* United Nations agencies and bodies, including the regional commissions, within existing resources, and invites intergovernmental organizations and research and academic institutions to support regional events of the year 2004 to contribute to the success of those events;

11. *Requests* the Secretary-General:

(*a*) To strengthen the programme of work of the Department of Economic and Social Affairs on family pursuant to the objectives of the tenth anniversary of the International Year of the Family in the context of national family-related provisions of the outcomes of the United Nations conferences and summits, and in the context of the internationally agreed development goals, including those contained in the United Nations Millennium Declaration,[2] to enhance the unique role of the family in society, in particular through:

(i) The development and strengthening of a family-focused perspective in relevant policies and programmes of United Nations bodies as well as in the follow-up to the outcomes of the relevant United Nations conferences and summits in the economic and social fields;

(ii) The provision of policy guidance on emerging issues and trends affecting the family, through the preparation of studies and research papers aimed in particular at enhancing the role of the family in society;

(iii) The provision of technical assistance to countries, upon request, to enhance, where appropriate, their national capacities in the area of family-related work;

(*b*) To address family issues, where relevant, in his report on the integrated and coordinated implementation of and follow-up to the outcomes of the major United Nations conferences and summits in the economic and social fields;

12. *Also requests* the Secretary-General to submit an interim report to the Commission for Social Development at its forty-second session and a substantive report to the General Assembly at its fifty-ninth session on the implementation of the present resolution and on the preparations for and the celebration of the tenth anniversary of the International Year of the Family at all levels.

RESOLUTION 58/130

Adopted at the 77th plenary meeting, on 22 December 2003, without a vote, on the recommendation of the Committee (A/58/496, para. 15)[3]

58/130. Implementation of the outcome of the World Summit for Social Development and of the twenty-fourth special session of the General Assembly

The General Assembly,

Recalling the World Summit for Social Development, held at Copenhagen from 6 to 12 March 1995, and the twenty-fourth special session of the General Assembly, entitled "World Summit for Social Development and beyond: achieving social development for all in a globalizing world", held at Geneva from 26 June to 1 July 2000,

Reaffirming that the Copenhagen Declaration on Social Development and the Programme of Action[4] and the further initiatives for social development adopted by the General Assembly at its twenty-fourth special session[5] constitute the basic framework for the promotion of social development for all at the national and international levels,

Recalling the United Nations Millennium Declaration[6] and the development goals contained therein, as well as the commitments made at major United Nations conferences, special sessions and summits,

Recalling also the commitment to promote national and global economic systems based on the principles of justice, equity, democracy, participation, transparency, accountability and inclusion,

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[2] See resolution 55/2.

[3] The draft resolution recommended in the report was sponsored in the Committee by: Afghanistan, Algeria, Andorra, Antigua and Barbuda, Argentina, Armenia, Austria, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burkina Faso, Burundi, Cameroon, Cape Verde, Chile, China, Colombia, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Finland, France, Gambia, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Ireland, Italy, Jamaica, Japan, Kazakhstan, Kenya, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Malta, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, South Africa, Spain, Sudan, Swaziland, Sweden, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Zambia and Zimbabwe.

[4] *Report of the World Summit for Social Development, Copenhagen, 6–12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annexes I and II.

[5] Resolution S-24/2, annex.

[6] See resolution 55/2.

Recalling further its resolution 57/270 B of 23 June 2003 on the integrated and coordinated implementation of and follow-up to the outcomes of the major United Nations conferences and summits in the economic and social fields,

Considering that, despite the efforts made and the progress achieved in some areas of economic and social development, vast sectors of our societies, in particular in the developing and the least developed countries, are still facing serious challenges, including serious financial crises, insecurity, poverty, exclusion and inequality in income growth and distribution, education and health,

Noting that the Commission for Social Development, at its forty-third session in 2005, will consider as its priority theme "Review of the further implementation of the World Summit for Social Development and the outcome of the twenty-fourth special session of the General Assembly",

1. *Takes note with appreciation* of the report of the Secretary-General;[7]

2. *Reaffirms* the need to take effective measures to implement the commitments made by heads of State and Government at the World Summit for Social Development, contained in the Copenhagen Declaration on Social Development and the Programme of Action,[4] which established a new consensus to place people at the centre of development policies and pledged to eradicate poverty, promote full and productive employment and foster social integration so as to achieve stable, safe and just societies for all;

3. *Also reaffirms* the decisions on further action and initiatives to accelerate social development for all, adopted by the General Assembly at its twenty-fourth special session and contained in the further initiatives for social development;[5]

4. *Further reaffirms* that the aim of social integration is to create a "society for all", in which every individual, each with rights and responsibilities, has an active role to play, and that such an inclusive society must be based on respect for all human rights and fundamental freedoms, cultural and religious diversity, social justice and the special needs of vulnerable and disadvantaged groups, democratic participation and the rule of law;

5. *Recognizes* the need to promote respect for human rights and fundamental freedoms in order to address the most pressing social needs of people living in poverty, including through the design and development of appropriate mechanisms to strengthen and consolidate democratic institutions and governance;

6. *Reaffirms* the commitment to gender equality and to strengthening policies and programmes that improve, ensure and broaden the full participation of women in all spheres of political, economic, social and cultural life, as equal partners, and to improving their access to all resources needed for the full exercise of all their human rights and fundamental freedoms by removing persistent barriers;

7. *Stresses* that, in addition to social policies, progress in the realization of long-term goals, such as equity, social cohesion and an adequate accumulation of human capital, requires supportive and coherent short-term and long-term economic policies at the national and international levels;

8. *Emphasizes* the importance of integrating economic and social policies in promoting human resources development and enhancing the process of development, invites the Economic and Social Council, at the highest possible level, to assess the effectiveness of such integration and make recommendations in this regard to the General Assembly, requests the Commission for Social Development to continue giving particular attention to this issue in its forthcoming sessions, and invites the different entities of the United Nations system, within their respective mandates, to take into account the integration of economic and social policies in their respective domains;

9. *Stresses* the necessity of ensuring the effective involvement of developing countries in the international economic decision-making process through, inter alia, greater participation in international economic forums, thereby ensuring the transparency and accountability of international financial institutions with respect to according a central position for social development in their policies and programmes;

10. *Reaffirms* that, given the growing and multifaceted interdependence of all regions and countries, coherent and strengthened international cooperation as well as a favourable external economic environment are indispensable complements to the efforts of developing countries, including least developed countries and countries with economies in transition, to promote their social development and eradicate poverty;

11. *Recognizes* that achieving the internationally agreed development goals, including those contained in the United Nations Millennium Declaration,[6] demands a new partnership between developed and developing countries, and in this context stresses the importance of achieving sound policies, good governance at all levels and the rule of law, as well as mobilizing domestic resources, attracting international flows, promoting international trade as an engine for development, increasing international and financial and technical cooperation for development, sustainable debt financing and external debt relief and enhancing the coherence and consistency of the international monetary, financial and trading systems;

12. *Also recognizes* that a substantial increase in official development assistance and other resources will be required if developing countries are to achieve the internationally agreed

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[7] A/58/172.

development goals and objectives, including those contained in the Millennium Declaration, and further recognizes that, in order to build support for official development assistance, heads of State and Government have pledged further to improve policies and development strategies, both nationally and internationally, to enhance aid effectiveness;

13. *Urges* developed countries that have not done so to make concrete efforts towards achieving the target of providing 0.7 per cent of their gross national product as official development assistance to developing countries and from 0.15 to 0.20 per cent of their gross national product as official development assistance to least developed countries, as reconfirmed at the Third United Nations Conference on the Least Developed Countries, held at Brussels from 14 to 20 May 2001,[8] encourages developing countries to build on progress achieved in ensuring that official development assistance is used effectively to help to achieve development goals and targets, acknowledges the efforts of all donors, commends those donors whose official development assistance contributions exceed, reach or are increasing towards the targets, and underlines the importance of undertaking an examination of the means and time frames for achieving the targets and goals;

14. *Reaffirms* that recipient and donor countries, as well as international institutions, should strive to make official development assistance more effective;

15. *Underlines* the importance of adopting effective measures, including new financial mechanisms, as appropriate, to support the efforts of developing countries to achieve sustained economic growth, sustainable development, poverty reduction and the strengthening of their democratic systems, while reaffirming that each country has primary responsibility for its own economic and social development and that national policies have the leading role in the development process;

16. *Reaffirms* that social development requires the active involvement of all actors in the development process, including civil society organizations, corporations and small businesses, and that partnerships among all relevant actors are increasingly becoming part of national and international cooperation for social development, reaffirms also that, within countries, partnerships among the Government, civil society and the private sector can contribute effectively to the achievement of social development goals, and underlines the fact that, at the international level, the recent initiatives towards building voluntary partnerships for social development should be encouraged and discussed further at, inter alia, the intergovernmental level;

17. *Underlines* the responsibility of the private sector, at both the national and the international levels, including small and large companies and transnational corporations, regarding not only the economic and financial, but also the development, social, gender and environmental implications of their activities, their obligations towards their workers and their contributions to achieving sustainable development, including social development, and emphasizes the need to take concrete actions within the United Nations system and through the participation of all relevant stakeholders on corporate responsibility and accountability;

18. *Reaffirms* that education, employment creation and improvement in working conditions, which are some of the indispensable elements of poverty eradication, social integration, gender equality and overall development, should be at the centre of development strategies and international cooperation in support of national policies, and recognizes the need to promote employment that meets labour standards as defined in relevant instruments of the International Labour Organization and other international instruments;

19. *Encourages*, in this context, current initiatives of the United Nations system on the elaboration of comprehensive employment strategies and measures to foster youth employment, bearing in mind relevant international instruments pertaining to youth;

20. *Reaffirms* the call of the Economic and Social Council for enhanced coordination within the United Nations system and the ongoing efforts to harmonize the current initiatives on Africa, and requests the Commission for Social Development to continue to give due prominence in its work to the social dimension of the New Partnership for Africa's Development;[9]

21. *Welcomes* the contribution of the Commission for Social Development in the follow-up to and review of the further implementation of the commitments made at the World Summit for Social Development and the further initiatives agreed upon at the twenty-fourth special session of the General Assembly, reaffirms that the Commission will continue to have the primary responsibility in this regard, and encourages Governments, the relevant specialized agencies, funds and programmes of the United Nations system and civil society to enhance their support to its work;

22. *Recalls*, in this regard, its request to each functional commission of the Economic and Social Council to examine its methods of work in order to better pursue the implementation of the outcomes of the major United Nations conferences and summits, recognizing that there is no need for a uniform approach since each functional commission has its own specificity, while also noting that modern methods of work can better guarantee the review of progress made in implementation at all levels, on the basis of a report with recommendations to be submitted by the Secretary-General to each functional commission and

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[8] See A/CONF.191/13.

[9] A/57/304, annex.

relevant subsidiary body of the Council on its methods of work, in accordance with the provisions defined by the respective outcomes and relevant decisions taken by each body, bearing in mind the progress recently achieved in this regard by certain commissions, in particular by the Commission on Sustainable Development; the functional commissions and other relevant bodies of the Council should report to it no later than 2005 on the outcome of this examination;

23. *Notes* its decision to review in 2005 the progress achieved in implementing all the commitments made in the Millennium Declaration, and notes also that there is scope for a major event in this context, and in this regard calls upon the Commission for Social Development to transmit to the General Assembly, through the Economic and Social Council, the substantive outcome of its review of the further implementation of the World Summit for Social Development and the outcome of the twenty-fourth special session of the General Assembly for its consideration in 2005;

24. *Invites* the Secretary-General, the Economic and Social Council, the Commission for Social Development, the regional commissions, the relevant specialized agencies, funds and programmes of the United Nations system and other intergovernmental forums, within their respective mandates, to continue to integrate into their work programmes and give priority attention to the commitments and undertakings contained in the Copenhagen Declaration and the Programme of Action and in the further initiatives for social development, to continue to be actively involved in their follow-up and to monitor the achievement of those commitments and undertakings;

25. *Decides* to include in the provisional agenda of its fifty-ninth session the item entitled "Implementation of the outcome of the World Summit for Social Development and of the twenty-fourth special session of the General Assembly", and requests the Secretary-General to submit a report on this question to the Assembly at that session.

RESOLUTION 58/131

Adopted at the 77th plenary meeting, on 22 December 2003, without a vote, on the recommendation of the Committee (A/58/497 (Part II), para. 20)[10]

58/131. Cooperatives in social development

The General Assembly,

Recalling its resolutions 47/90 of 16 December 1992, 49/155 of 23 December 1994, 51/58 of 12 December 1996, 54/123 of 17 December 1999 and 56/114 of 19 December 2001, concerning cooperatives in social development,

Recognizing that cooperatives, in their various forms, promote the fullest possible participation in the economic and social development of all people, including women, youth, older persons and persons with disabilities, and are becoming a major factor of economic and social development,

Recognizing also the important contribution and potential of all forms of cooperatives to the follow-up to the World Summit for Social Development, held at Copenhagen from 6 to 12 March 1995, the Fourth World Conference on Women, held at Beijing from 4 to 15 September 1995, the second United Nations Conference on Human Settlements (Habitat II), held at Istanbul, Turkey, from 3 to 14 June 1996, and their five-year reviews, the World Food Summit, held at Rome from 13 to 17 November 1996, the Second World Assembly on Ageing, held at Madrid from 8 to 12 April 2002, the International Conference on Financing for Development, held at Monterrey, Mexico, from 18 to 22 March 2002, and the World Summit on Sustainable Development, held at Johannesburg, South Africa, from 26 August to 4 September 2002,

1. *Takes note* of the report of the Secretary-General;[11]

2. *Draws the attention* of Member States to the proposals contained in the report of the Secretary-General for further action to promote a supportive environment for the development of cooperatives;

3. *Also draws the attention* of Member States to the revised guidelines aimed at creating a supportive environment for the development of cooperatives,[12] to be considered by them in developing or revising their national policies on cooperatives;

4. *Encourages* Governments to keep under review, as appropriate, the legal and administrative provisions governing the activities of cooperatives, with a view to ensuring a supportive environment for them and to protecting and advancing the potential of cooperatives to help them to achieve their goals;

5. *Urges* Governments, relevant international organizations and specialized agencies, in collaboration with national and international cooperative organizations, to give due consideration to the role and contribution of cooperatives in the implementation of and follow-up to the outcomes of the World Summit for Social Development, the Fourth World Conference on Women, the second United Nations Conference on Human

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[10] The draft resolution recommended in the report was sponsored in the Committee by: Barbados, Benin, Brazil, Burkina Faso, Cambodia, Cameroon, Congo, Costa Rica, Côte d'Ivoire, Democratic Republic of the Congo, Dominican Republic, Ecuador, El Salvador, Ethiopia, Gambia, Guatemala, India, Indonesia, Iran (Islamic Republic of), Jamaica, Kenya, Kyrgyzstan, Madagascar, Mongolia, Morocco, Myanmar, Nigeria, Panama, Philippines, Senegal, Sierra Leone, Sudan, Thailand, Trinidad and Tobago and United Republic of Tanzania.

[11] A/58/159.

[12] A/56/73-E/2001/68, annex.

Settlements (Habitat II) and their five-year reviews, the World Food Summit, the Second World Assembly on Ageing, the International Conference on Financing for Development and the World Summit on Sustainable Development by, inter alia:

(*a*) Utilizing and developing fully the potential and contribution of cooperatives for the attainment of social development goals, in particular the eradication of poverty, the generation of full and productive employment and the enhancement of social integration;

(*b*) Encouraging and facilitating the establishment and development of cooperatives, including taking measures aimed at enabling people living in poverty or belonging to vulnerable groups to engage on a voluntary basis in the creation and development of cooperatives;

(*c*) Taking appropriate measures aimed at creating a supportive and enabling environment for the development of cooperatives by, inter alia, developing an effective partnership between Governments and the cooperative movement, promoting and implementing better legislation, training, research, sharing of good practices and human resources development;

6. *Invites* Governments, in collaboration with the cooperative movement, to develop programmes to promote and strengthen the education of members, the elected leadership and professional cooperative management, where appropriate, and to create or improve statistical databases on the development of cooperatives and on their contribution to national economies;

7. *Invites* Governments, relevant international organizations, specialized agencies and local, national and international cooperative organizations to continue to observe the International Day of Cooperatives annually, on the first Saturday of July, as proclaimed by the General Assembly in its resolution 47/90;

8. *Requests* the Secretary-General, in cooperation with the relevant United Nations and other international organizations and national, regional and international cooperative organizations, to render support to Member States, as appropriate, in their efforts to create a supportive environment for the development of cooperatives, to continue to provide assistance for human resources development, technical advice and training, and to promote an exchange of experience and best practices, through, inter alia, conferences, workshops and seminars at the national and regional levels;

9. *Also requests* the Secretary-General to submit to the General Assembly at its sixtieth session a report on the implementation of the present resolution, focusing on the role of cooperatives in the eradication of poverty.

RESOLUTION 58/132

Adopted at the 77th plenary meeting, on 22 December 2003, without a vote, on the recommendation of the Committee (A/58/497 (Part II), para. 20)[13]

58/132. Implementation of the World Programme of Action concerning Disabled Persons: towards a society for all in the twenty-first century

The General Assembly,

Recalling the purposes and principles of the Charter of the United Nations, and reaffirming the obligations contained in relevant human rights instruments, including the Convention on the Elimination of All Forms of Discrimination against Women[14] and the Convention on the Rights of the Child,[15]

Recalling also its relevant resolutions, in particular resolution 37/52 of 3 December 1982, by which it adopted the World Programme of Action concerning Disabled Persons,[16] resolution 48/96 of 20 December 1993, by which it adopted the Standard Rules on the Equalization of Opportunities for Persons with Disabilities, and resolution 56/115 of 19 December 2001, as well as the relevant resolutions of the Economic and Social Council and its functional commissions,

Recalling further the United Nations Millennium Declaration, adopted on 8 September 2000 by heads of State and Government at the Millennium Summit of the United Nations,[17] stressing the need to promote and protect the full enjoyment of all human rights and fundamental freedoms by persons with disabilities, and recognizing the importance of incorporating the disability perspective in the implementation of the outcomes of the major United Nations conferences and summits, with a view to achieving the internationally agreed development goals, including those contained in the Millennium Declaration,

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[13] The draft resolution recommended in the report was sponsored in the Committee by: Afghanistan, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Bangladesh, Barbados, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Bulgaria, Burkina Faso, Burundi, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Dominican Republic, Ecuador, El Salvador, Eritrea, Ethiopia, Finland, France, Germany, Ghana, Greece, Guatemala, Guyana, Hungary, Iceland, Indonesia, Ireland, Israel, Italy, Jamaica, Japan, Kenya, Latvia, Lebanon, Lesotho, Lithuania, Luxembourg, Malawi, Malaysia, Malta, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Myanmar, Namibia, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Panama, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Senegal, Sierra Leone, Slovakia, Slovenia, South Africa, Spain, Swaziland, Sweden, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Trinidad and Tobago, Tunisia, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Venezuela, Viet Nam, Zambia and Zimbabwe.

[14] Resolution 34/180, annex.

[15] Resolution 44/25, annex.

[16] A/37/351/Add.1 and Corr.1, annex, sect. VIII, recommendation 1 (IV).

[17] See resolution 55/2.

Noting with appreciation the initiatives and actions of Governments to implement relevant sections of the Standard Rules and of relevant resolutions that give special attention to the questions of accessible environments and information and communication technologies, health, education and social services, employment and sustainable livelihoods, including the relevant activities of intergovernmental and non-governmental organizations,

Reaffirming the outcomes of the major United Nations conferences and summits and their respective follow-up reviews,

Noting that the Madrid International Plan of Action on Ageing, 2002, adopted by the Second World Assembly on Ageing,[18] considers "older persons and disabilities" as a specific issue for policy concern,

Noting also the preparatory work of the Ad Hoc Committee on a Comprehensive and Integral International Convention on the Protection and Promotion of the Rights and Dignity of Persons with Disabilities in establishing a working group with the aim of preparing and presenting a draft text that would be the basis for the negotiation of the draft convention,

Recognizing the strong commitment of Governments to the equalization of opportunities and to the rights of persons with disabilities and the promotion and protection of the full enjoyment of all human rights by persons with disabilities, including in the context of development,

Acknowledging the important role of non-governmental organizations in the promotion and protection of the full enjoyment of all human rights by persons with disabilities, and noting in this regard their work in promoting the elaboration of an international convention on the rights of disabled persons,

Noting with appreciation the important contributions of regional intergovernmental organizations and the regional commissions of the United Nations in promoting awareness and building capacities for the full participation and equality of persons with disabilities, as well as the outcome of international conferences relating to persons with disabilities,

Mindful of the need to adopt and implement effective policies and strategies to promote the rights and the full and effective participation of persons with disabilities at all levels,

Recognizing the importance of accessibility both of the physical environment and of information and communication in enabling persons with disabilities to enjoy fully their human rights,

Reiterating that technology, in particular information and communication technologies, provides new possibilities for improving accessibility and employment for persons with disabilities and for facilitating their full and effective participation and equality, and welcoming the initiatives of the United Nations and contributions from regional groups in promoting information and communication technologies as a means of achieving the universal goal of a society for all,

Recognizing the importance of timely and reliable data on disability-sensitive topics, programme planning and evaluation and the need for the further development of practical statistical methodology for the collection and compilation of data on populations with disabilities,

Recognizing also the challenge of better incorporating the disability perspective in development and technical cooperation activities,

Recognizing further the need to improve the quality of life of persons with disabilities worldwide through the enhancement of awareness of and sensitivity to disability issues and respect for the full enjoyment of all human rights by persons with disabilities,

Recognizing that, in the elaboration of national and international development strategies, consideration needs to be given to the impact of poverty, especially in rural areas, on the conditions of persons with disabilities,

Expressing grave concern that situations of armed conflict continue to have especially devastating consequences for the human rights of persons with disabilities,

1. *Takes note with appreciation* of the report of the Secretary-General[19] on the implementation of the World Programme of Action concerning Disabled Persons,[16] including the recommendations of the Secretary-General relating to policy options to promote the full enjoyment of all human rights by persons with disabilities in the context of development;

2. *Welcomes* the work of the Special Rapporteur on disability of the Commission for Social Development to promote the full enjoyment of all human rights by, and the equalization of opportunities for, persons with disabilities;

3. *Calls upon* Governments to take all necessary measures to advance beyond the adoption of national plans for people with disabilities through, inter alia, the creation or reinforcement of arrangements for the promotion and awareness of disability issues and the allocation of sufficient resources for the full implementation of existing plans and initiatives, and emphasizes in this regard the importance of supporting national efforts through international cooperation;

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[18] *Report of the Second World Assembly on Ageing, Madrid, 8–12 April 2002* (United Nations publication, Sales No. E.02.IV.4), chap. I, resolution 1, annex II.

[19] A/58/61-E/2003/5.

4. *Encourages* Governments, intergovernmental and non-governmental organizations and the private sector, as appropriate, to continue to take concrete measures to mainstream the disability perspective into the development process and promote the implementation of relevant United Nations resolutions and agreed international standards concerning persons with disabilities, in particular the Standard Rules on the Equalization of Opportunities for Persons with Disabilities, and for the further equalization of opportunities for persons with disabilities;

5. *Encourages* Governments to continue their support to non-governmental organizations and other groups, including organizations of persons with disabilities, that contribute to the fulfilment of the implementation of the World Programme of Action;

6. *Also encourages* Governments to involve persons with disabilities in the formulation of strategies and plans, in particular those pertaining to them;

7. *Urges* relevant organizations and bodies of the United Nations system, including relevant human rights treaty bodies and the regional commissions, as well as intergovernmental and non-governmental organizations and institutions, to incorporate the disability perspective in their activities, as appropriate, and to continue to work closely with the Division for Social Policy and Development of the Secretariat for the promotion of the full enjoyment of all human rights and fundamental freedoms by persons with disabilities, including activities at the field level, by sharing experiences, findings and recommendations on persons with disabilities;

8. *Stresses* the importance of improving data and statistics on persons with disabilities, in compliance with national legislation on the protection of personal data, so that they can be compared internationally and domestically for purposes of policy design, planning and evaluation from the disability perspective, urges Governments, in this regard, to cooperate with the Statistics Division of the Secretariat in the continuing development of global statistics and indicators on disability, and encourages them to avail themselves of the technical assistance of the Division to build national capacities for national data-collection systems;

9. *Urges* Governments, intergovernmental organizations and non-governmental organizations to provide special protection to persons with mental or physical disabilities, who may experience multiple or aggravating forms of discrimination, with special emphasis on integrating them into society and protecting and promoting their full enjoyment of all human rights;

10. *Urges* Governments to address the situation of persons with disabilities with respect to all actions taken to implement existing human rights treaties to which they are parties;

11. *Invites* States to continue to participate actively in the negotiations within the Ad Hoc Committee on a Comprehensive and Integral International Convention on the Protection and Promotion of the Rights and Dignity of Persons with Disabilities;

12. *Encourages* Governments, intergovernmental organizations, concerned non-governmental organizations and the private sector to continue to support the United Nations Voluntary Fund on Disability, with a view to strengthening its capacity to support catalytic and innovative activities to implement fully the World Programme of Action and the Standard Rules, including the work of the Special Rapporteur, and to support activities to build national capacities, with emphasis on priorities for action identified in the present resolution;

13. *Requests* the Secretary-General to continue to support the initiatives of relevant organizations and bodies of the United Nations system, as well as those of regional, intergovernmental and non-governmental organizations and institutions, for the promotion of the full enjoyment of all human rights by, and non-discrimination in respect of, persons with disabilities and the further implementation of the World Programme of Action, as well as their efforts to integrate persons with disabilities in technical cooperation activities, both as beneficiaries and as decision makers;

14. *Expresses its appreciation* to the Secretary-General for his efforts in improving the accessibility of the United Nations for persons with disabilities, and urges him to continue to implement plans to provide a barrier-free environment;

15. *Welcomes* the review by the Secretary-General in his current report on the fourth quinquennial review and appraisal of the World Programme of Action,[19] and requests the Secretary-General to submit to the General Assembly at its sixtieth session a report on the implementation of the present resolution.

RESOLUTION 58/133

Adopted at the 77th plenary meeting, on 22 December 2003, without a vote, on the recommendation of the Committee (A/58/497 (Part II), para. 20)[20]

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[20] The draft resolution recommended in the report was sponsored in the Committee by: Albania, Andorra, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Azerbaijan, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burkina Faso, Cameroon, Canada, Cape Verde, Central African Republic, Chile, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Dominican Republic, Ecuador, El Salvador, Eritrea, Ethiopia, Finland, France, Gambia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea-Bissau, Haiti, Hungary, Iceland, Indonesia, Ireland, Italy, Jamaica, Japan, Kazakhstan, Kenya, Latvia, Lesotho, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Mali, Malta, Mexico, Monaco, Mongolia, Morocco, Mozambique, Namibia, Netherlands, Nicaragua, Niger, Nigeria, Norway, Peru, Poland, Portugal, Republic of Moldova, Romania, Rwanda, Saint Vincent and the Grenadines, San Marino, Senegal, Sierra Leone, Slovakia, Slovenia, South Africa, Spain, Swaziland, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Trinidad and Tobago, Tunisia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Zambia and Zimbabwe.

58/133. Policies and programmes involving youth

The General Assembly,

Guided by the Charter of the United Nations as well as other relevant international instruments, including the Convention on the Rights of the Child[21] and the two Optional Protocols thereto,[22]

Reaffirming the obligation of States to promote and protect human rights and fundamental freedoms and their full enjoyment by young people,

Recalling the United Nations Millennium Declaration,[23] and recognizing that the Millennium Declaration includes important goals and targets pertaining to youth,

Recalling and reaffirming the commitments made at the major United Nations conferences and summits held since 1990 and their follow-up processes, in particular those commitments that are related to youth, including youth employment,

Recognizing that the participation of young people is an asset and a prerequisite for sustainable economic growth and social development, and expressing deep concern about the magnitude of youth unemployment and underemployment throughout the world and its profound implications for the future of our societies, particularly those in developing countries,

Acknowledging that poverty, among other factors, represents a serious challenge to the full and effective participation and contribution of young people to society,

Recalling its resolution 50/81 of 14 December 1995, by which it adopted the World Programme of Action for Youth to the Year 2000 and Beyond, annexed thereto,

Recalling also its resolution 54/120 of 17 December 1999, in which it took note with appreciation of the Lisbon Declaration on Youth Policies and Programmes adopted at the World Conference of Ministers Responsible for Youth in 1998,[24] and its resolutions 56/117 of 19 December 2001 and 57/165 of 18 December 2002,

1. *Takes note* of the reports of the Secretary-General on the World Youth Report 2003[25] and on promoting youth employment;[26]

2. *Reaffirms* that the ten priority areas identified in the World Programme of Action for Youth to the Year 2000 and Beyond, namely, education, employment, hunger and poverty, health issues, environment, drug abuse, juvenile delinquency, leisure, girls and young women, and youth participation, remain areas of crucial importance;

3. *Takes note* of the five issues of concern to young people identified in the World Youth Report 2003, namely, the mixed impact of globalization on young women and men, the use of and access to information and communication technologies, the dramatic increase of human immunodeficiency virus infections among young people and the impact of the epidemic on their lives, the active involvement of young people in armed conflict, both as victims and as perpetrators, and the increased importance of addressing intergenerational issues in an ageing society;

4. *Recognizes* the importance of the full and effective participation of young people and youth organizations at the local, national, regional and international levels in promoting and implementing the World Programme of Action and in evaluating the progress achieved and the obstacles encountered in its implementation, as well as the need to support the activities of mechanisms that have been set up by young people and youth organizations, bearing in mind that girls, boys, young women and young men have the same rights but different needs and strengths and are active agents in decision-making processes and for positive change and development in society;

5. *Also recognizes* the great importance of empowering young people by building their capacity to achieve greater independence, overcoming constraints to their participation and providing them with opportunities to make decisions that affect their lives and well-being;

6. *Calls upon* all Member States, United Nations bodies, specialized agencies, regional commissions and intergovernmental and non-governmental organizations concerned, in particular youth organizations, to make every possible effort to implement the World Programme of Action, aiming at cross-sectoral youth policies, by integrating a youth perspective into all planning and decision-making processes relevant to youth;

7. *Takes note with appreciation* of the work done by the regional commissions to implement the World Programme of Action, to follow up the World Conference of Ministers Responsible for Youth in their respective regions, in coordination with regional meetings of ministers responsible for youth and regional non-governmental youth organizations, and to provide advisory services to support national youth policies and programmes in each region, and encourages them to continue to do so;

8. *Recommends* that the United Nations system, on the basis of the positive experience of youth participation in the work of the United Nations, inter alia, at the World Summit on Sustainable Development and the special session of the General Assembly on children, continue to provide opportunities for dialogue between Governments and representatives of youth

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[21] Resolution 44/25, annex.

[22] Resolution 54/263, annexes I and II.

[23] See resolution 55/2.

[24] See WCMRY/1998/28, chap. I, resolution 1.

[25] E/CN.5/2003/4.

[26] A/58/229.

organizations in consultative status with the Economic and Social Council through forums, open-ended dialogues, meetings and debates;

9. *Decides* that the organization of a future world youth forum should be based on a decision of the General Assembly;

10. *Notes* the decision of eight countries to volunteer as lead countries in the preparation of national reviews and action plans on youth employment;

11. *Encourages* Member States to prepare national reviews and action plans on youth employment, either integrated into their national action plans on employment or issued as separate documents, to make full use of existing data and statistics and to involve young people and youth organizations in this process, taking into account, inter alia, the commitments made by Member States in this regard, in particular those included in the World Programme of Action, and, where such reviews and action plans exist, to submit them to the Secretariat by September 2004;

12. *Invites*, within the context of the Youth Employment Network, the International Labour Organization, in collaboration with the Secretariat and the World Bank and other relevant specialized agencies, to assist and support, upon request, the efforts of Governments in the elaboration of national reviews and action plans and to undertake a global analysis and evaluation of progress made in this regard;

13. *Recommends* devoting two plenary meetings at its sixtieth session, in 2005, to review the situation of youth and achievements attained in the implementation of the World Programme of Action ten years after its adoption;

14. *Requests* the Secretary-General, with regard to paragraph 4 above, to consider organizing a consultative meeting with youth organizations and youth representatives, taking into account equitable geographical distribution, on the evaluation of the progress made and obstacles encountered in the implementation of the World Programme of Action in preparation for the two plenary meetings of the General Assembly to be held in 2005, and to include the outcome of the meeting in his report to the Assembly at its sixtieth session;

15. *Invites* all Governments and intergovernmental and non-governmental organizations to contribute to the United Nations Youth Fund, and requests the Secretary-General to take appropriate actions to encourage contributions;

16. *Notes with appreciation* the provision by some Member States of expertise and financial resources to support the activities of the Youth Employment Network, and invites all Member States and intergovernmental and non-governmental organizations to contribute to the Network in support of action taken at the country level within the framework of the Network;

17. *Reiterates* the call made in the World Programme of Action to Member States to consider including youth representatives in their delegations to the General Assembly and other relevant United Nations meetings, thus broadening the channels of communication and enhancing the discussion of youth-related issues, and requests the Secretary-General to convey this invitation again to Member States;

18. *Requests* the Secretary-General to provide the General Assembly at its sixtieth session, through the Commission for Social Development at its forty-third session, with a comprehensive report including an evaluation of the implementation since 1995 of the priority areas identified in the World Programme of Action, including actions taken by Member States, United Nations bodies, specialized agencies, regional commissions and youth organizations in their multidisciplinary work for and with youth;

19. *Also requests* the Secretary-General, in preparing the report requested in paragraph 18 above, to bear in mind the five issues identified in paragraph 3 above and discuss them in an annex to the report;

20. *Further requests* the Secretary-General to include in his report to the General Assembly at its sixtieth session a global analysis and evaluation of national action plans on youth employment.

RESOLUTION 58/134

Adopted at the 77th plenary meeting, on 22 December 2003, without a vote, on the recommendation of the Committee (A/58/498, para. 10)[27]

58/134. Follow-up to the Second World Assembly on Ageing

The General Assembly,

Recalling its resolution 57/167 of 18 December 2002, in which it endorsed the Political Declaration and the Madrid International Plan of Action on Ageing, 2002,[28] and welcomed the preparation by the Programme on Ageing of the Division for Social Policy and Development of the Department of Economic and Social Affairs of the Secretariat of a road map for the process of implementing the Madrid Plan of Action, as well as its resolution 57/177 of 18 December 2002, in which it stressed, inter alia, the importance of mainstreaming a gender perspective,

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[27] The draft resolution recommended in the report was sponsored in the Committee by: Albania, Andorra, Austria, Belarus, Bulgaria, Canada, Croatia, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Lithuania, Luxembourg, Mexico, Monaco, Morocco (on behalf of the States Members of the United Nations that are members of the Group of 77 and China), Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Russian Federation, San Marino, Slovakia, Slovenia, Spain, the former Yugoslav Republic of Macedonia, Ukraine, United Kingdom of Great Britain and Northern Ireland and United States of America.

[28] *Report of the Second World Assembly on Ageing, Madrid, 8–12 April 2002* (United Nations publication, Sales No. E.02.IV.4), chap. I, resolution 1, annexes I and II.

Recalling also Economic and Social Council resolution 2003/14 of 21 July 2003, in which the Council invited Governments, the United Nations system and civil society to participate in a "bottom-up" approach to the review and appraisal of the Madrid Plan of Action,

Recalling further its resolution 57/270 B of 23 June 2003, in which it agreed to the framework for an integrated and coordinated implementation of and follow-up to the outcomes of the major United Nations conferences and summits in the economic and social fields and reaffirmed the importance of regularly reviewing the progress made in the implementation of the commitments undertaken at individual major United Nations conferences and summits in the economic, social and related fields,

Recognizing that the follow-up to and the implementation of the outcome of the Second World Assembly on Ageing is an integral part of the integrated and coordinated implementation of and follow-up to the outcomes of the major United Nations conferences and summits,

Recognizing also that a tremendous global demographic change is to be expected during the next fifty years, in both developing and developed countries, as well as in countries with economies in transition, and that since this change will be the most rapid in developing countries, where the older population is expected to quadruple over the same period of time, it is imperative that ageing be integrated into development policies for the attainment of internationally agreed development goals, including those contained in the United Nations Millennium Declaration,[29]

Aware that the lack of data disaggregated by age and sex is an impediment to the consideration of ageing issues and the situation of older persons at both the international and the national policy levels,

1. *Takes note* of the report of the Secretary-General;[30]

2. *Also takes note* of the road map for the implementation of the Madrid International Plan of Action on Ageing, 2002, contained in the report of the Secretary-General;

3. *Invites* Member States and the organizations and bodies of the United Nations system to incorporate ageing, as appropriate, into actions to achieve the internationally agreed development goals, including those contained in the United Nations Millennium Declaration,[29] in particular the goal on the eradication of poverty;

4. *Stresses* the need for action at the national and international levels to implement the Madrid Plan of Action,[31] including the need to set national and international priorities and to select appropriate approaches to ensure that countries achieve a society for all ages;

5. *Encourages* the establishment of institutional linkages at the national level between national machineries for the advancement of women and those governmental entities responsible for the development, implementation and coordination of ageing-related policies and programmes;

6. *Stresses* that the role of civil society, including non-governmental organizations, is important in supporting Governments in their implementation and assessment of and follow-up to the Madrid Plan of Action;

7. *Requests* the Economic and Social Council to consider ageing when elaborating its list of cross-sectoral thematic issues common to the outcomes of major United Nations conferences and summits for the establishment of the multi-year programme of work for the coordination segment of its substantive session;

8. *Requests* the Commission for Social Development to integrate an ageing perspective in its consideration of priority themes related to the follow-up to the World Summit for Social Development;

9. *Requests* the Commission for Social Development and the Commission on the Status of Women to further coordinate and collaborate through their respective bureaux on the issue of older women within the framework of their respective multi-year programmes of work;

10. *Recalls*, in this regard, its request to each functional commission of the Economic and Social Council to examine its methods of work in order to better pursue the implementation of the outcomes of the major United Nations conferences and summits, recognizing that there is no need for a uniform approach since each functional commission has its own specificity, while noting that modern methods of work can better guarantee the review of progress made in implementation at all levels, on the basis of a report containing recommendations to be submitted by the Secretary-General to each functional commission and relevant subsidiary body of the Economic and Social Council on its methods of work, in accordance with the provisions defined by the respective outcomes and relevant decisions taken by each body, bearing in mind the progress recently achieved in this regard by certain

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[29] See resolution 55/2.

[30] A/58/160.

[31] *Report of the Second World Assembly on Ageing, Madrid, 8–12 April 2002* (United Nations publication, Sales No. E.02.IV.4), chap. I, resolution 1, annex II.

commissions, in particular the Commission on Sustainable Development, and recalling that the functional commissions and other relevant bodies of the Council should report to it no later than 2005 on the outcome of this examination;

11. *Requests* the Commission for Social Development to take up the issue of the periodicity and the format of the review of the implementation of the Madrid Plan of Action at its forty-second session, taking into account the provisions of resolution 57/270 B;

12. *Stresses* the importance of the collection of data and population statistics disaggregated by age and sex on all aspects of policy formulation by all countries, and encourages the relevant entities of the United Nations to support national efforts in capacity-building, especially those of developing countries and countries with economies in transition, takes note in this context of the establishment by the United Nations of an Internet-accessible database on ageing, and invites States to submit, whenever possible, information for inclusion in the database;

13. *Requests* the Statistical Commission to assist Member States in developing modalities for disaggregating data by age and sex;

14. *Requests* the organizations and bodies of the United Nations system and the specialized agencies to integrate ageing, including from a gender perspective, into their programmes of work and to report on their progress to the Commission for Social Development;

15. *Invites* the international financial institutions and the regional development banks to take older persons into account in their policies and projects as part of the effort to assist developing countries and countries with economies in transition in the implementation of the Madrid Plan of Action;

16. *Recommends* that the institutional linkages between United Nations gender focal points and focal points on ageing be strengthened in order to enhance the integration of the gender aspects of ageing within the system;

17. *Welcomes* the progress made in the work of some of the regional commissions in implementing the objectives and recommendations of the Madrid Plan of Action, and encourages other regional commissions to make progress in this regard;

18. *Requests* the Secretary-General to forward his report[30] to the Commission for Social Development at its forty-second session and to make available any other relevant information related to this issue that may assist the Commission in its deliberations;

19. *Also requests* the Secretary-General to report to the General Assembly at its fifty-ninth session on the implementation of the present resolution.

RESOLUTION 58/135

Adopted at the 77th plenary meeting, on 22 December 2003, without a vote, on the recommendation of the Committee (A/58/499, para. 32)[32]

58/135. International cooperation in the fight against transnational organized crime: assistance to States in capacity-building with a view to facilitating the implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto

The General Assembly,

Recalling its resolution 55/25 of 15 November 2000, by which it adopted the United Nations Convention against Transnational Organized Crime, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, and the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime,

Recalling also its resolution 55/255 of 31 May 2001, by which it adopted the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime,

Recalling further its resolution 56/120 of 19 December 2001 on action against transnational organized crime: assistance to States in capacity-building with a view to facilitating the implementation of the Convention and the Protocols thereto,

Reaffirming its deep concern at the impact of transnational organized crime on the political, social and economic stability and development of societies,

Reaffirming that the adoption of the Convention and the Protocols thereto is a significant development in international criminal law and that they constitute important instruments for effective international cooperation against transnational organized crime,

1. *Takes note with appreciation* of the report of the Secretary-General on the ratification of the United Nations Convention against Transnational Organized Crime and the Protocols thereto;[33]

2. *Welcomes* the entry into force of the United Nations Convention against Transnational Organized Crime, and notes the number of signatures and ratifications of the three Protocols

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[32] The draft resolution recommended in the report was submitted by the Economic and Social Council.

[33] E/CN.15/2003/5.

to the Convention, which is likely to lead to the expected entry into force at an early date of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, and the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime;

3. *Commends* the Centre for International Crime Prevention of the United Nations Office on Drugs and Crime for its work in promoting the ratification of the Convention and the Protocols thereto, including, in particular, the preparation of legislative guides designed to facilitate the ratification and subsequent implementation of those instruments, and invites the Centre to finalize the legislative guides and to disseminate them as widely as possible;

4. *Welcomes* the organization by the Secretary-General, in cooperation with the Centre and the Office of Legal Affairs of the Secretariat, of the treaty event "Focus 2003: treaties against transnational organized crime and terrorism", held at United Nations Headquarters from 23 to 26 September 2003, in accordance with General Assembly resolution 57/173 of 18 December 2002, welcomes the participation of Member States in that event, and urges Member States that have not yet done so to deposit their instruments of ratification or approval of or accession to the Convention and the Protocols thereto, in order to ensure the widest possible participation in those instruments and thus to maximize their effectiveness;

5. *Also welcomes* the financial support provided by several donors to promote the entry into force and implementation of the Convention and the Protocols thereto, and encourages Member States to make sufficient voluntary contributions to the United Nations Crime Prevention and Criminal Justice Fund, as well as contributions in direct support of activities and projects of the Centre, including through contributions to the institutes of the United Nations Crime Prevention and Criminal Justice Programme network, for the provision of technical assistance to developing countries and countries with economies in transition for the implementation of those international legal instruments;

6. *Requests* the Centre, in its capacity as secretariat of the Conference of the Parties to the Convention, to undertake all activities necessary to ensure the efficient preparation of the inaugural session of the Conference of the Parties, in 2004;

7. *Also requests* the Centre, within existing regular or extrabudgetary resources, in preparing to provide services to the Conference of the Parties, as mandated, to develop a guide containing elements that would be useful to States parties in meeting their reporting requirements to the Conference of the Parties and to undertake a study on the functioning of extradition and mutual legal assistance through existing mechanisms, including bilateral, regional and multilateral agreements or arrangements;

8. *Requests* the Secretary-General to continue to provide the Centre with the resources necessary to enable it to promote, in an effective manner, the implementation of the Convention and the Protocols thereto and to discharge its functions as the secretariat of the Conference of the Parties in accordance with its mandate;

9. *Also requests* the Secretary-General to report on the implementation of the present resolution in his report on the work of the Centre to be submitted to the General Assembly at its fifty-ninth session.

RESOLUTION 58/136

Adopted at the 77th plenary meeting, on 22 December 2003, without a vote, on the recommendation of the Committee (A/58/499, para. 32)[34]

58/136. Strengthening international cooperation and technical assistance in promoting the implementation of the universal conventions and protocols related to terrorism within the framework of the activities of the Centre for International Crime Prevention

The General Assembly,

Recalling its relevant resolutions related to the prevention and suppression of terrorism, as well as Security Council resolutions 1373 (2001) of 28 September 2001, 1377 (2001) of 12 November 2001 and 1456 (2003) of 20 January 2003,

Recalling also its resolution 56/1 of 12 September 2001, in which it strongly condemned the heinous acts of terrorism of 11 September 2001, and its resolution 57/27 of 19 November 2002, in which it also condemned those in Bali and Moscow and urgently called for international cooperation to prevent and eradicate acts of terrorism, as well as Security Council resolution 1465 (2003) of 13 February 2003, in which the Council condemned the bombing attack in Bogotá on 7 February 2003,

Recalling further its resolution 57/173 of 18 December 2002, in which it affirmed the importance of the role of the Centre for International Crime Prevention of the United Nations Office on Drugs and Crime in the fulfilment of its mandate, including to prevent and combat terrorism, and in particular in strengthening international cooperation and providing technical assistance, upon request, which complements the work of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism,

Recalling its resolution 57/292 of 20 December 2002, in section IV of which it approved the strengthening of the

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[34] The draft resolution recommended in the report was submitted by the Economic and Social Council.

Terrorism Prevention Branch of the Secretariat, given that terrorism was one of the priorities of the medium-term plan for the period 2002–2005,

Mindful of its resolution 56/261 of 31 January 2002 on the plans of action for the implementation of the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century, which includes a plan of action against terrorism,

Supporting the ongoing efforts of the Executive Director of the United Nations Office on Drugs and Crime to enhance an integrated approach to combating terrorism, drug trafficking, transnational organized crime and other related forms of criminal activity,

Stressing the need for close coordination and cooperation between States, international, regional and subregional organizations and the Counter-Terrorism Committee, as well as the Centre, in preventing and combating terrorism and criminal activities carried out for the purpose of furthering terrorism in all its forms and manifestations,

Convinced of the need, as asserted by the General Assembly and the Security Council in various resolutions, in particular Council resolution 1373 (2001), to prevent and suppress acts of terrorism, and noting with deep concern the links between terrorism and transnational organized crime, drug trafficking, money-laundering and trafficking in arms, as well as illegal transfers of nuclear, chemical and biological materials,

Expressing its appreciation to the Government of Austria and the Centre for the organization of the symposium on the theme "Combating international terrorism: the contribution of the United Nations", held in Vienna on 3 and 4 June 2002, and taking note of the report of the Executive Director,[35]

Recalling that Member States must ensure that any measures taken to combat terrorism comply with all their obligations under international law and that such measures are adopted in accordance with international law, in particular international human rights, refugee and humanitarian law, as appropriate,

Noting with appreciation that the Ad Hoc Committee established by General Assembly resolution 51/210 of 17 December 1996 is continuing the preparation of a draft comprehensive convention on international terrorism[36] and of a draft international convention for the suppression of acts of nuclear terrorism,[37]

1. *Encourages* the activities of the Centre for International Crime Prevention of the United Nations Office on Drugs and Crime within its mandates in the area of preventing terrorism by providing Member States, upon request, with technical assistance, specifically to implement the universal conventions and protocols related to terrorism, thereby strengthening international cooperation in preventing and combating terrorism, working in close coordination with the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism and the Office of Legal Affairs of the Secretariat, as well as with international, regional and subregional organizations;

2. *Welcomes* the establishment of the Global Programme against Terrorism, launched by the Centre, which provides the appropriate framework for activities supporting Member States in their fight against terrorism, in particular through the implementation of the universal conventions and protocols related to terrorism;

3. *Calls upon* Member States that have not yet done so to become parties to and implement the universal conventions and protocols related to terrorism and, where appropriate, to request assistance to that end from the Centre;

4. *Notes* the preparation of a United Nations legislative guide to the universal conventions and protocols related to terrorism, which was reviewed by an expert group hosted by the International Institute of Higher Studies in Criminal Sciences in Siracusa, Italy, from 3 to 5 December 2002, and invites States that have not yet ratified or acceded to the universal conventions and protocols related to terrorism to make use of the legislative guide in their efforts to incorporate the provisions of those instruments into their national legislation;

5. *Urges* Member States to continue working together, as well as on a regional and bilateral basis and in close cooperation with the United Nations, to prevent and combat acts of terrorism by strengthening international cooperation and technical assistance within the framework of Security Council resolutions 1373 (2001), 1377 (2001) and 1456 (2003) and other relevant international instruments and in accordance with the Charter of the United Nations and international law;

6. *Requests* the Centre, subject to the availability of regular or extrabudgetary resources, to prepare guidelines on technical assistance according to which the Centre, acting in areas within its competence and in coordination with the Counter-Terrorism Committee, will provide assistance related to promoting the ratification of, accession to and implementation of the universal conventions and protocols related to terrorism and to identify concrete elements of such assistance with a view to facilitating cooperation among Member States in combating terrorism, and to submit those guidelines to Member States for their consideration;

7. *Also requests* the Centre, subject to the availability of extrabudgetary funds, to intensify its efforts to provide

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[35] See A/57/152 and Corr.1 and Add.1 and Add.1/Corr.1 and 2 and Add.2.

[36] See *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 37* (A/58/37), annex II.A.

[37] Ibid., annex II.B.

technical assistance, upon request, in preventing and combating terrorism through the implementation of the universal conventions and protocols related to terrorism, with particular emphasis on the need to coordinate its work with the Counter-Terrorism Committee and international, regional and subregional organizations;

8. *Expresses its appreciation* to donor countries that have supported, through voluntary contributions to the United Nations Crime Prevention and Criminal Justice Fund or through direct contributions to the United Nations Crime Prevention and Criminal Justice Programme network, the launching of the Global Programme against Terrorism, and invites all States to make adequate voluntary contributions to the Fund in order to strengthen the capacity of the Centre to provide technical assistance to requesting Member States, in particular for promoting the ratification of, accession to and implementation of the universal conventions and protocols related to terrorism;

9. *Recommends* that the Commission on Crime Prevention and Criminal Justice, in coordination with other United Nations entities, in particular the Counter-Terrorism Committee, keep under regular review the progress made by Member States in becoming parties to and implementing the universal conventions and protocols related to terrorism and the needs of Member States requesting technical assistance;

10. *Requests* the Secretary-General to organize a senior-level discussion during the thirteenth session of the Commission on Crime Prevention and Criminal Justice on progress made with regard to the criminal justice aspects of terrorism and international cooperation and to the universal conventions and protocols related to terrorism, and invites the Counter-Terrorism Committee and relevant international organizations to participate in that discussion;

11. *Invites* Member States to provide the Secretary-General with information on the nature of links between terrorism and other forms of crime in order to increase synergies in the delivery of technical assistance by the Centre, and requests the Secretary-General to include an analysis of that information in his report on the implementation of the present resolution;

12. *Requests* the Secretary-General to report to the General Assembly at its fifty-ninth session on the implementation of the present resolution.

RESOLUTION 58/137

Adopted at the 77th plenary meeting, on 22 December 2003, without a vote, on the recommendation of the Committee (A/58/499, para. 32)[38]

58/137. Strengthening international cooperation in preventing and combating trafficking in persons and protecting victims of such trafficking

The General Assembly,

Recalling the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power,[39]

Taking note of guideline 8, Special measures for the protection and support of child victims of trafficking, contained in the report of the United Nations High Commissioner for Human Rights,[40]

Recalling the Convention on the Rights of the Child,[41] and noting the entry into force of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography,[42]

Recalling also the International Labour Organization Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, 1999 (Convention No. 182), which prohibits forced or obligatory labour of all people under the age of 18,

Recalling further paragraphs 25 and 27 of the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century,[43]

Recalling its resolution 55/25 of 15 November 2000, by which it adopted the United Nations Convention against Transnational Organized Crime,[44] and in particular the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,[45]

Condemning trafficking in persons as an abhorrent form of modern-day slavery and as an act that is contrary to universal human rights,

Decrying the treatment of human beings as commodities bartered, bought or sold by traffickers, in particular exploiters,

Deeply concerned at the worldwide occurrence of trafficking in persons for the purpose of exploitation of all kinds by transnational organized criminal groups, many of which are also involved in other forms of illegal activity, including trafficking in firearms, money-laundering, drug trafficking and corruption,

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[38] The draft resolution recommended in the report was submitted by the Economic and Social Council.

[39] Resolution 40/34, annex.

[40] See E/2002/68/Add.1.

[41] Resolution 44/25, annex.

[42] Resolution 54/263, annex II.

[43] Resolution 55/59, annex.

[44] Resolution 55/25, annex I.

[45] Ibid., annex II.

Profoundly alarmed by the fact that trafficking in persons is a growing and profitable trade in most parts of the world, aggravated by, inter alia, poverty, armed conflict, inadequate social and economic conditions and demand in the illicit labour and sex markets,

Expressing dismay at the ability of criminal networks to avoid punishment while preying on the vulnerabilities of their victims,

Noting the distinctions and interlinkages between the two criminal behaviours of trafficking in persons, as set forth in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, and of smuggling of migrants, as set forth in the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime,[46]

Convinced of the urgent need for broad and concerted international cooperation among all Member States, employing a multidisciplinary, balanced and global approach, including adequate technical assistance, in order to prevent and combat trafficking in persons,

Convinced also that civil society, including non-governmental organizations, can play a role in reducing existing and future opportunities for victimization in the field of trafficking and in assisting Governments in promoting the protection of victims through comprehensive and non-stigmatizing social and appropriate economic assistance to victims, including in the areas of health, education, housing and employment,

Welcoming efforts of Member States, in particular countries of origin, transit and destination, to create awareness in civil society concerning the seriousness of the crime of trafficking and of its various forms, as well as the role of the public in preventing victimization and assisting victims of trafficking,

Noting the thematic discussion on trafficking in human beings, especially women and children, held by the Commission on Crime Prevention and Criminal Justice at its twelfth session,

1. *Urges* Member States to employ a comprehensive approach to combating trafficking in persons, incorporating law enforcement efforts and, where appropriate, the confiscation and seizure of the proceeds of trafficking, the protection of victims and preventive measures, including measures against activities that derive profit from the exploitation of victims of trafficking;

2. *Calls upon* Member States to collaborate with a view to preventing trafficking in persons, especially for the purpose of sexual exploitation, through:

(*a*) Improved technical cooperation to strengthen local and national institutions aimed at preventing trafficking in persons, especially women and children, in countries of origin;

(*b*) Information campaigns on the techniques and methods of traffickers, programmes of education aimed at prospective targets, as well as vocational training in social skills and assistance in the reintegration of victims of trafficking into society;

(*c*) A focus on post-conflict regions where patterns of human trafficking are emerging as a new phenomenon and the incorporation of anti-trafficking measures into early intervention;

3. *Recognizes* that broad international cooperation between Member States and relevant intergovernmental and non-governmental organizations is essential to counter effectively the threat of trafficking in persons;

4. *Urges* Member States to take measures to ratify or accede to the United Nations Convention against Transnational Organized Crime,[44] the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime[45] and the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography[42] and to implement those instruments by, inter alia:

(*a*) Criminalizing trafficking in persons;

(*b*) Promoting cooperation among law enforcement authorities in combating trafficking in persons;

(*c*) Establishing the offence of trafficking in persons as a predicate offence for money-laundering offences;

5. *Invites* Member States to adopt measures, in accordance with their domestic law and capacity, inter alia:

(*a*) To fight sexual exploitation with a view to abolishing it, by prosecuting and punishing those who engage in that activity;

(*b*) To raise awareness, especially through training, among criminal justice officials and others, as appropriate, of the needs of victims of trafficking and of the crucial role of victims in detecting and prosecuting this crime by, inter alia:

(i) Investigating all cases reported by victims, preventing further victimization and, in general, treating victims with respect;

(ii) Treating victims and witnesses with sensitivity throughout criminal judicial proceedings, in accordance with articles 24 and 25 of the United Nations Convention against Transnational Organized Crime and article 6, paragraph 2, of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children;

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[46] Ibid., annex III.

6. *Also invites* Member States to adopt measures, in accordance with their domestic law and capacity, inter alia:

(*a*) To provide assistance and protection to victims of trafficking in persons, including measures to permit victims of trafficking to remain in their territory temporarily or permanently, as appropriate;

(*b*) To promote the legislative and other measures necessary to establish a wide range of assistance, including legal, psychological, medical and social assistance and, if appropriate, compensation or restitution, to the actual victims of trafficking, subject to the determination of the existence of victimization;

(*c*) To provide humane treatment for all victims of trafficking, taking into account their age, gender and particular needs, in accordance with article 6, paragraphs 3 and 4, of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children;

(*d*) To assist in the reintegration of victims of trafficking into society;

7. *Further invites* Member States, as appropriate, to develop guidelines for the protection of victims of trafficking before, during and after criminal proceedings;

8. *Urges* Member States to ensure that measures taken against trafficking in persons, especially women and children, are consistent with internationally recognized principles of non-discrimination and that they respect the human rights and fundamental freedoms of victims;

9. *Invites* Member States to set up mechanisms for coordination and collaboration between governmental and non-governmental organizations with a view to responding to the immediate needs of victims of trafficking;

10. *Also invites* Member States to allocate appropriate resources for victim services, public awareness campaigns and law enforcement activities directed at eliminating trafficking and exploitation and to foster international cooperation, including adequate technical assistance and capacity-building programmes, to improve the ability of Member States to take effective measures against trafficking in persons;

11. *Encourages* Member States to examine the role of the exploitation of the prostitution of others in encouraging trafficking in persons;

12. *Also encourages* Member States to adopt legislative or other measures to reduce the demand that fosters all forms of trafficking in persons, including by cooperating with non-governmental organizations and civil society and by raising public awareness of how sexual and other forms of exploitation degrade their victims and the related risks of trafficking in persons, especially women and children;

13. *Further encourages* Member States to take measures, including raising public awareness, to discourage, especially among men, the demand that fosters sexual exploitation, in accordance with article 9, paragraph 5, of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children;

14. *Encourages* Member States to target the link, where appropriate, between trafficking in persons for purposes of sexual and other forms of exploitation and other types of crime;

15. *Encourages* the Centre for International Crime Prevention of the United Nations Office on Drugs and Crime to continue its close cooperation and coordination with relevant international and regional organizations in this area;

16. *Encourages* Member States to make voluntary contributions to further strengthen and support the Centre and its Global Programme against Trafficking in Human Beings, in particular in the area of technical assistance activities;

17. *Requests* the Secretary-General to report to the Commission on Crime Prevention and Criminal Justice at its fourteenth session on the implementation of the present resolution.

RESOLUTION 58/138

Adopted at the 77th plenary meeting, on 22 December 2003, without a vote, on the recommendation of the Committee (A/58/499, para. 32)[47]

58/138. Preparations for the Eleventh United Nations Congress on Crime Prevention and Criminal Justice

The General Assembly,

Recalling its resolution 56/119 of 19 December 2001 on the role, function, periodicity and duration of the United Nations congresses on the prevention of crime and the treatment of offenders, and its resolution 57/171 of 18 December 2002 on preparations for the Eleventh United Nations Congress on Crime Prevention and Criminal Justice,

Considering that, pursuant to its resolutions 415 (V) of 1 December 1950 and 46/152 of 18 December 1991, the Eleventh Congress is to be held in 2005,

Bearing in mind the guidelines for and the new format of the United Nations congresses, as stipulated in paragraph 2 of resolution 56/119, as well as paragraphs 29 and 30 of the statement of principles and programme of action of the United Nations Crime Prevention and Criminal Justice Programme, annexed to resolution 46/152,

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[47] The draft resolution recommended in the report was submitted by the Economic and Social Council.

Recognizing the significant contributions of the United Nations congresses in promoting the exchange of experience in research, law and policy development and the identification of emerging trends and issues in crime prevention and criminal justice among States, intergovernmental organizations and individual experts representing various professions and disciplines,

Recalling that, in its resolution 57/171, it requested the Commission on Crime Prevention and Criminal Justice, at its twelfth session, to finalize the programme for the Eleventh Congress and to make its final recommendations, through the Economic and Social Council, to the General Assembly,

Recalling also that, in its resolution 57/171, it decided that the main theme of the Eleventh Congress should be "Synergies and responses: strategic alliances in crime prevention and criminal justice",

Recalling further its resolution 57/170 of 18 December 2002 on the follow-up to the plans of action for the implementation of the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century,[48]

Stressing the importance of undertaking all the preparatory activities for the Eleventh Congress in a timely and concerted manner,

Having considered the report of the Secretary-General,[49]

1. *Notes* the progress made thus far in the preparations for the Eleventh United Nations Congress on Crime Prevention and Criminal Justice;

2. *Decides* to hold the Eleventh Congress from 18 to 25 April 2005, with pre-congress consultations to be held on 18 April 2005;

3. *Also decides* that the high-level segment of the Eleventh Congress shall be held during the last three days of the Congress in order to allow heads of State or Government or government ministers to focus on the main substantive agenda items of the Congress;

4. *Approves* the following provisional agenda for the Eleventh Congress, finalized by the Commission on Crime Prevention and Criminal Justice at its twelfth session:

   1. Opening of the Congress.
   2. Organizational matters.
   3. Effective measures to combat transnational organized crime.
   4. International cooperation against terrorism and links between terrorism and other criminal activities in the context of the work of the United Nations Office on Drugs and Crime.
   5. Corruption: threats and trends in the twenty-first century.
   6. Economic and financial crimes: challenges to sustainable development.
   7. Making standards work: fifty years of standard-setting in crime prevention and criminal justice.
   8. Adoption of the report of the Congress;

5. *Decides* that the following issues shall be considered by workshops within the framework of the Eleventh Congress:

(*a*) Enhancing international law enforcement cooperation, including extradition measures;

(*b*) Enhancing criminal justice reform, including restorative justice;

(*c*) Strategies and best practices for crime prevention, in particular in relation to urban crime and youth at risk;

(*d*) Measures to combat terrorism, with reference to the relevant international conventions and protocols;

(*e*) Measures to combat economic crime, including money-laundering;

(*f*) Measures to combat computer-related crime;

6. *Reiterates its request* to the Secretary-General to prepare, in cooperation with the institutes of the United Nations Crime Prevention and Criminal Justice Programme network, a discussion guide for the regional preparatory meetings and the workshops of the Eleventh Congress;

7. *Urges* the regional preparatory meetings to examine the substantive items on the agenda and the workshop topics of the Eleventh Congress and to make action-oriented recommendations to serve as a basis for the draft recommendations and conclusions for consideration by the Congress and the Commission at its fourteenth session;

8. *Emphasizes* the importance of the workshops, and invites Member States, intergovernmental and non-governmental organizations and other relevant entities to provide financial, organizational and technical support to the Centre for International Crime Prevention of the United Nations Office on Drugs and Crime and to the institutes of the United Nations Crime Prevention and Criminal Justice Programme network for the preparations for the workshops, including the preparation and circulation of relevant background material;

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[48] Resolution 56/261, annex.

[49] A/58/87-E/2003/82.

9. *Requests* the Secretary-General to include in the discussion guide requested in paragraph 6 above consideration of technical cooperation ideas, projects and documents related to enhancing bilateral and multilateral efforts in technical assistance activities in crime prevention and criminal justice;

10. *Invites* donor countries to cooperate with developing countries to ensure their full participation in the workshops;

11. *Approves* the plan for documentation for the Eleventh Congress, as proposed by the Secretary-General in his report on preparations for the Congress,[50] taking into account the recommendations of the Commission related thereto;

12. *Invites* Governments and relevant intergovernmental and non-governmental organizations to inform the Eleventh Congress about their activities with a view to the implementation of the plans of action for the implementation of the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century,[48] as guidance for the formulation of legislation, policies and programmes in the field of crime prevention and criminal justice at the national and international levels;

13. *Reiterates its request* to the Secretary-General to make available the necessary resources for the participation of the least developed countries in the regional preparatory meetings for the Eleventh Congress and at the Congress itself, in accordance with past practice;

14. *Encourages* Governments to undertake preparations for the Eleventh Congress at an early stage by all appropriate means, including, where appropriate, the establishment of national preparatory committees, with a view to contributing to a focused and productive discussion on the topics and to participating actively in the organization of and follow-up to the workshops;

15. *Requests* the Secretary-General to provide resources, as required, in accordance with established United Nations budgetary practice and within the overall appropriations of the programme budget for the biennium 2004–2005, in order to ensure a wide and effective programme of public information relating to the preparations for the Eleventh Congress, to the Congress itself and to the follow-up to and implementation of its recommendations;

16. *Reiterates its invitation* to Member States to be represented at the Eleventh Congress at the highest possible level, for example, by heads of State or Government or government ministers and attorneys general, to make statements on the theme and topics of the Congress and to participate in thematic interactive round tables;

17. *Requests* the Secretary-General to facilitate the organization of ancillary meetings of non-governmental and professional organizations participating in the Eleventh Congress, in accordance with past practice, as well as meetings of professional and geographical interest groups, and to take appropriate measures to encourage the participation of the academic and research community in the Congress;

18. *Again encourages* the relevant specialized agencies, United Nations programmes and intergovernmental and non-governmental organizations, as well as other professional organizations, to cooperate with the Centre for International Crime Prevention in the preparations for the Eleventh Congress;

19. *Requests* the Secretary-General to appoint a Secretary-General and an Executive Secretary of the Eleventh Congress, in accordance with past practice, to perform their functions under the rules of procedure for United Nations congresses on crime prevention and criminal justice;

20. *Requests* the Commission to accord sufficient time at its thirteenth session to reviewing the progress made in the preparations for the Eleventh Congress, to finalize in good time all the necessary organizational and substantive arrangements and to make its recommendations through the Economic and Social Council to the General Assembly;

21. *Requests* the Secretary-General to ensure the proper follow-up to the present resolution and to report thereon to the General Assembly through the Commission on Crime Prevention and Criminal Justice at its thirteenth session.

RESOLUTION 58/139

Adopted at the 77th plenary meeting, on 22 December 2003, without a vote, on the recommendation of the Committee (A/58/499, para. 32)[51]

58/139. United Nations African Institute for the Prevention of Crime and the Treatment of Offenders

The General Assembly,

Recalling its resolution 57/172 of 18 December 2002 and all other relevant resolutions,

Taking note of the report of the Secretary-General,[52]

Bearing in mind the urgent need to establish effective crime prevention strategies for Africa, as well as the importance of law enforcement agencies and the judiciary at the regional and subregional levels,

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[50] Ibid., para. 69.

[51] The draft resolution recommended in the report was sponsored in the Committee by Rwanda (on behalf of the States Members of the United Nations that are members of the Group of African States).

[52] A/58/223.

Noting that the financial situation of the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders has greatly affected its capacity to deliver its services to African Member States in an effective and comprehensive manner,

1. *Commends* the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders for its efforts to promote and coordinate regional technical cooperation activities related to crime prevention and criminal justice systems in Africa;

2. *Commends* the Secretary-General for his efforts to mobilize the financial resources necessary to provide the Institute with the core professional staff required to enable it to function effectively in the fulfilment of its mandated obligations;

3. *Reiterates* the need to strengthen further the capacity of the Institute to support national mechanisms for crime prevention and criminal justice in African countries;

4. *Urges* the States members of the Institute to make every possible effort to meet their obligations to the Institute;

5. *Calls upon* all Member States and non-governmental organizations to adopt concrete practical measures to support the Institute in the development of the requisite capacity and to implement its programmes and activities aimed at strengthening crime prevention and criminal justice systems in Africa;

6. *Requests* the Secretary-General to intensify efforts to mobilize all relevant entities of the United Nations system to provide the necessary financial and technical support to the Institute to enable it to fulfil its mandate;

7. *Also requests* the Secretary-General to continue his efforts to mobilize the financial resources necessary to maintain the Institute with the core professional staff required to enable it to function effectively in the fulfilment of its mandated obligations;

8. *Calls upon* the United Nations Crime Prevention and Criminal Justice Programme and the United Nations International Drug Control Programme to work closely with the Institute;

9. *Requests* the Secretary-General to enhance the promotion of regional cooperation, coordination and collaboration in the fight against crime, especially in its transnational dimension, which cannot be dealt with adequately by national action alone;

10. *Also requests* the Secretary-General to make concrete proposals, including the provision of additional core professional staff, to strengthen the programmes and activities of the Institute and to report to the General Assembly at its fifty-ninth session on the implementation of the present resolution.

RESOLUTION 58/140

Adopted at the 77th plenary meeting, on 22 December 2003, without a vote, on the recommendation of the Committee (A/58/499, para. 32)[53]

58/140. Strengthening the United Nations Crime Prevention and Criminal Justice Programme, in particular its technical cooperation capacity

The General Assembly,

Recalling its resolution 46/152 of 18 December 1991 on the creation of an effective United Nations crime prevention and criminal justice programme, in which it approved the statement of principles and programme of action annexed to that resolution,

Recalling also its resolution 57/173 of 18 December 2002 on strengthening the United Nations Crime Prevention and Criminal Justice Programme, in particular its technical cooperation capacity,

Bearing in mind its resolution 58/135 of 22 December 2003 on international cooperation in the fight against transnational organized crime: assistance to States in capacity-building with a view to facilitating the implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto,

Bearing in mind also its resolution 58/136 of 22 December 2003 on strengthening international cooperation and technical assistance in promoting the implementation of the universal conventions and protocols related to terrorism within the framework of the activities of the Centre for International Crime Prevention of the United Nations Office on Drugs and Crime,

Recalling Economic and Social Council resolution 2003/24 of 22 July 2003 on the work of the Centre for International Crime Prevention, including the management of the United Nations Crime Prevention and Criminal Justice Fund,

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[53] The draft resolution recommended in the report was sponsored in the Committee by: Albania, Argentina, Armenia, Australia, Austria, Bangladesh, Belarus, Belgium, Benin, Bosnia and Herzegovina, Botswana, Bulgaria, Burkina Faso, Canada, Chile, China, Colombia, Croatia, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Dominican Republic, Ecuador, El Salvador, Eritrea, Estonia, Finland, France, Gambia, Germany, Ghana, Greece, Guatemala, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kazakhstan, Kenya, Kyrgyzstan, Latvia, Lesotho, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malta, Mexico, Monaco, Mongolia, Namibia, Netherlands, New Zealand, Nigeria, Norway, Panama, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, San Marino, Serbia and Montenegro, Sierra Leone, Slovakia, Slovenia, South Africa, Spain, Swaziland, Sweden, Thailand, the former Yugoslav Republic of Macedonia, Turkey, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, Venezuela, Viet Nam, Zambia and Zimbabwe.

Recalling also Economic and Social Council resolution 2003/28 of 22 July 2003 on international cooperation in the prevention, combating and elimination of kidnapping and in providing assistance to victims,

Emphasizing the role of the United Nations in the field of crime prevention and criminal justice, specifically the reduction of criminality, more efficient and effective law enforcement and administration of justice, respect for human rights and the rule of law, and promotion of the highest standards of fairness, humanity and professional conduct,

Recognizing that action against global criminal activity is a common and shared responsibility,

Convinced of the desirability of closer coordination and cooperation among States in combating crime, including organized crime, corruption, the smuggling of migrants and trafficking in persons, especially women and children, drug-related crimes, money-laundering, the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition and the criminal misuse of information technologies, as well as criminal activities carried out for the purpose of furthering terrorism in all its forms and manifestations, bearing in mind the role that could be played by both the United Nations and regional organizations in this respect,

Recognizing existing efforts at the regional level that complement the work of the United Nations Crime Prevention and Criminal Justice Programme in combating the smuggling of migrants and trafficking in persons, especially women and children, and noting in this context the ongoing work of the Bali and Puebla Processes,[54]

Recognizing also existing efforts that complement the work of the United Nations Crime Prevention and Criminal Justice Programme in combating corruption, and noting the outcome of the third Global Forum on Fighting Corruption and Safeguarding Integrity, held at Seoul from 28 to 31 May 2003,

Acknowledging the role of United Nations standards and norms in crime prevention and criminal justice and their development, as reflected in Economic and Social Council resolution 2003/30 of 22 July 2003,

Recognizing the urgent need to increase technical cooperation activities to assist countries, in particular developing countries and countries with economies in transition, with their efforts in translating United Nations conventions and other legal instruments and policy guidelines into practice,

Recalling its resolution 55/25 of 15 November 2000, by which it adopted the United Nations Convention against Transnational Organized Crime, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, and the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime, and its resolution 55/255 of 31 May 2001, by which it adopted the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime,

Welcoming the adoption of its resolution 58/4 of 31 October 2003 on the United Nations Convention against Corruption,

Recognizing the need to maintain a balance in the technical cooperation capacity of the United Nations Office on Drugs and Crime between all priorities identified by the General Assembly and the Economic and Social Council,

Recalling its relevant resolutions, in which it requested the Secretary-General, as a matter of urgency, to provide the United Nations Crime Prevention and Criminal Justice Programme with sufficient resources for the full implementation of its mandate, in conformity with the high priority attached to the Programme,

Bearing in mind the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century,[55]

Recalling the plans of action for the implementation of the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century,[56]

Recalling also Economic and Social Council resolution 2003/25 of 22 July 2003 on international cooperation, technical assistance and advisory services in crime prevention and criminal justice,

Aware of the continued increase in requests for technical assistance forwarded to the United Nations Office on Drugs and Crime by least developed countries, developing countries, countries with economies in transition and countries emerging from conflict,

Appreciating the funding provided by certain Member States in 2002 and 2003 that has permitted the United Nations Office on Drugs and Crime to enhance its capacity to execute an increased number of projects in the field of crime prevention and criminal justice,

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[54] Most recently the second Regional Ministerial Conference on People Smuggling, Trafficking in Persons and Related Transnational Crime, held at Bali, Indonesia, from 28 to 30 April 2003, and the eighth Regional Conference on Migration, held at Cancún, Mexico, on 29 and 30 May 2003 as part of the Puebla Process.

[55] Resolution 55/59, annex.

[56] Resolution 56/261, annex.

1. *Takes note with appreciation* of the report of the Secretary-General on the progress made in the implementation of General Assembly resolution 57/173;[57]

2. *Affirms* the importance of the work of the United Nations Office on Drugs and Crime in the fulfilment of its mandate in crime prevention and criminal justice, including to prevent and combat terrorism, in particular in strengthening international cooperation and providing technical assistance, upon request, which complements the work of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism;

3. *Reaffirms* the importance of the United Nations Crime Prevention and Criminal Justice Programme in promoting effective action to strengthen international cooperation in crime prevention and criminal justice, in responding to the needs of the international community in the face of both national and transnational criminality and in assisting Member States in achieving the goals of preventing crime within and among States and improving the response to crime;

4. *Reiterates its appreciation* of the decision of the Commission on Crime Prevention and Criminal Justice to mainstream a gender perspective into its activities and its request that a gender perspective be integrated into all activities of the United Nations Office on Drugs and Crime;

5. *Reaffirms* the role of the United Nations Office on Drugs and Crime in providing to Member States, upon request, technical cooperation, advisory services and other forms of assistance in the field of crime prevention and criminal justice, including in the areas of prevention and control of transnational organized crime, corruption and terrorism as well as in the area of reconstruction of national criminal justice systems;

6. *Recognizes* the progress made in the implementation of the global programmes addressing the trafficking in human beings, corruption, organized crime and terrorism, formulated on the basis of close consultations with Member States and review by the Commission on Crime Prevention and Criminal Justice, and calls upon the Secretary-General to enhance further the visibility of those programmes and to strengthen the United Nations Office on Drugs and Crime by providing it with the resources necessary for the full implementation of its mandate in crime prevention and criminal justice;

7. *Supports* the high priority given to technical cooperation and advisory services in the field of crime prevention and criminal justice, including in the areas of prevention and control of transnational organized crime, corruption and terrorism, and stresses the need to enhance the operational activities of the United Nations Office on Drugs and Crime to assist, in particular, developing countries, countries with economies in transition and countries emerging from conflict;

8. *Urges* States and relevant international organizations to develop national, regional and international strategies and other necessary measures which complement the work of the United Nations Crime Prevention and Criminal Justice Programme in addressing effectively the significant problems posed by the smuggling of migrants and trafficking in persons and related activities;

9. *Invites* all States to support the operational activities of the United Nations Crime Prevention and Criminal Justice Programme, through voluntary contributions to the United Nations Crime Prevention and Criminal Justice Fund, or through voluntary contributions in direct support of such activities, including for the provision of technical assistance for the implementation of the commitments entered into at the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, including the measures outlined in the plans of action for the implementation of the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century;[56]

10. *Encourages* relevant programmes, funds and organizations of the United Nations system, in particular the United Nations Development Programme, international financial institutions, in particular the World Bank, and regional and national funding agencies, to support the technical operational activities of the United Nations Office on Drugs and Crime in the field of crime prevention and criminal justice;

11. *Urges* States and funding agencies to review, as appropriate, their funding policies for development assistance and to include a crime prevention and criminal justice component in such assistance;

12. *Welcomes* the efforts undertaken by the Commission on Crime Prevention and Criminal Justice to exercise more vigorously its mandated function of resource mobilization, and calls upon the Commission to strengthen further its activities in this direction, in accordance also with Economic and Social Council resolution 2003/31 of 22 July 2003 on the functioning of the Commission;

13. *Notes with appreciation* the decision to organize a senior-level discussion during the thirteenth session of the Commission on Crime Prevention and Criminal Justice on progress made with regard to the criminal justice aspects of terrorism and international conventions and protocols related to terrorism;

14. *Expresses its appreciation* to non-governmental organizations and other relevant sectors of civil society for their support to the United Nations Crime Prevention and Criminal Justice Programme;

15. *Invites* relevant entities of the United Nations system, including the United Nations Development Programme

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[57] A/58/222.

and the World Bank, and other international funding agencies to increase their interaction with the United Nations Office on Drugs and Crime in order to benefit from synergies and avoid duplication of effort, and to ensure that, as appropriate, activities on crime prevention and criminal justice, including activities related to the prevention of corruption, are considered in their sustainable development agenda and that the expertise of the Office in activities related to crime prevention and criminal justice, including activities related to the prevention of corruption and the promotion of the rule of law, is fully utilized;

16. *Requests* the Secretary-General to take all necessary measures to provide adequate support to the Commission on Crime Prevention and Criminal Justice, as the principal policy-making body in this field, in performing its activities, including cooperation and coordination with the institutes of the United Nations Crime Prevention and Criminal Justice Programme network and other relevant bodies;

17. *Welcomes* the entry into force of the United Nations Convention against Transnational Organized Crime (Palermo Convention) and the forthcoming entry into force of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, and the results of the treaty event "Focus 2003: treaties against transnational organized crime and terrorism", organized by the Secretary-General in New York from 23 to 26 September 2003;

18. *Emphasizes* the importance of the expeditious entry into force of the remaining Protocols to the Convention;

19. *Urges* all States and regional economic organizations that have not yet done so to ratify or accede to the Convention as soon as possible, so as to participate in the conference of the States parties at its inaugural session, to be held at Vienna from 28 June to 9 July 2004;

20. *Welcomes* the voluntary contributions already made, and encourages States to make adequate and regular voluntary contributions for the implementation of the Convention and the Protocols thereto, through the United Nations funding mechanism specifically designed for that purpose in the Convention or in direct support of implementation activities and initiatives;

21. *Also welcomes* the successful outcome of the negotiations on the United Nations Convention against Corruption and the participation of States and competent regional economic integration organizations in the High-level Political Conference for the Purpose of Signing the Convention, held at Mérida, Mexico, from 9 to 11 December 2003, and urges them to take all necessary measures to ratify the Convention as soon as possible;

22. *Requests* the Secretary-General to take all necessary measures and provide adequate support to the United Nations Office on Drugs and Crime so as to enable it to promote the speedy entry into force of the United Nations Convention against Corruption;

23. *Encourages* States to make adequate and regular voluntary contributions for the entry into force of the United Nations Convention against Corruption, through the United Nations funding mechanism specifically designed for that purpose in the Convention or in direct support of implementation activities and initiatives;

24. *Requests* the Secretary-General to submit a report on the implementation of the present resolution to the General Assembly at its fifty-ninth session.

RESOLUTION 58/141

Adopted at the 77th plenary meeting, on 22 December 2003, without a vote, on the recommendation of the Committee (A/58/500, para. 11)[58]

58/141. International cooperation against the world drug problem

The General Assembly,

Recalling the United Nations Millennium Declaration,[59] its resolution 57/174 of 18 December 2002 and its other previous resolutions,

Reaffirming its commitment to the outcome of the twentieth special session of the General Assembly, devoted to countering the world drug problem together, held in New York from 8 to 10 June 1998, and welcoming the continuing determination of Governments to overcome the world drug problem by a full and balanced application of national, regional and international strategies to reduce the demand for, production of and trafficking in illicit drugs,

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[58] The draft resolution recommended in the report was sponsored in the Committee by: Afghanistan, Albania, Algeria, Andorra, Antigua and Barbuda, Argentina, Armenia, Austria, Bahamas, Bangladesh, Barbados, Belarus, Belgium, Belize, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Canada, Cape Verde, Chile, China, Colombia, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Dominican Republic, Ecuador, El Salvador, Eritrea, Ethiopia, Finland, France, Gambia, Germany, Ghana, Greece, Guatemala, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Ireland, Israel, Italy, Jamaica, Japan, Kazakhstan, Kenya, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Malta, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Myanmar, Namibia, Netherlands, New Zealand, Niger, Nigeria, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, South Africa, Spain, Sudan, Swaziland, Sweden, Switzerland, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Turkey, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Venezuela, Viet Nam, Zambia and Zimbabwe.

[59] See resolution 55/2.

Reaffirming the importance of the commitments of Member States in meeting the objectives targeted for 2003 and 2008, as set out in the Political Declaration adopted by the General Assembly at the twentieth special session,[60] and welcoming the guidelines and elements recommended by the Commission on Narcotic Drugs to the Executive Director of the United Nations International Drug Control Programme for the preparation of subsequent reports on the follow-up to the twentieth special session,[61]

Emphasizing the importance of the Action Plan[62] for the Implementation of the Declaration on the Guiding Principles of Drug Demand Reduction,[63] which introduces a new global approach balanced between illicit supply and demand reduction, under the principle of shared responsibility, and of the Action Plan on International Cooperation on the Eradication of Illicit Drug Crops and on Alternative Development,[64] which recognizes the importance of supply reduction as an integral part of a balanced drug control strategy,

Recognizing the efforts of all countries, in particular those that produce narcotic drugs for scientific and medical purposes, and of the International Narcotics Control Board in preventing the diversion of such substances to illicit markets and in maintaining production at a level consistent with licit demand, in line with the Single Convention on Narcotic Drugs of 1961[65] and the Convention on Psychotropic Substances of 1971,[66]

Aware that progress has been uneven in meeting the goals set in the Political Declaration, as also reflected in the biennial reports of the Executive Director of the United Nations Office on Drugs and Crime,[67] and recognizing that the drug problem is still a global challenge that constitutes a serious threat to public health and safety and the well-being of humankind, in particular children and young people, and that it undermines socio-economic and political stability and sustainable development, including efforts to reduce poverty, and causes violence and crime, including in urban areas,

Deeply concerned by the serious challenges and threats posed by the continuing links between illicit drug trafficking and terrorism and other national and transnational criminal activities, such as trafficking in human beings, especially women and children, money-laundering, corruption and trafficking in arms and chemical precursors, and reaffirming that strong and effective international cooperation is needed to counter these threats,

Gravely concerned about policies and activities in favour of the legalization of illicit narcotic drugs and psychotropic substances that are not in accordance with the international drug control treaties and that might jeopardize the international drug control regime,

Acknowledging that international cooperation in countering drug abuse and illicit production and trafficking has shown that positive results can be achieved through sustained and collective efforts, and expressing its appreciation for the initiatives in this regard,

Welcoming the holding of the ministerial segment of the forty-sixth session of the Commission on Narcotic Drugs in Vienna on 16 and 17 April 2003,

I

Respect for the principles enshrined in the Charter of the United Nations and international law in countering the world drug problem

1. *Reaffirms* that countering the world drug problem is a common and shared responsibility that must be addressed in a multilateral setting, requires an integrated and balanced approach, and must be carried out in full conformity with the purposes and principles of the Charter of the United Nations and international law, and in particular with full respect for the sovereignty and territorial integrity of States, the principle of non-intervention in the internal affairs of States and all human rights and fundamental freedoms, and on the basis of the principles of equal rights and mutual respect;

2. *Urges* all States to ratify or accede to and implement all the provisions of the Single Convention on Narcotic Drugs of 1961 as amended by the 1972 Protocol,[68] the Convention on Psychotropic Substances of 1971[66] and the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988;[69]

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[60] Resolution S-20/2, annex.

[61] See *Official Records of the Economic and Social Council, 1999, Supplement No. 8* (E/1999/28/Rev.1), part two, chap. I, resolution 42/11; and ibid., *2001, Supplement No. 8* (E/2001/28/Rev.1), chap. I, sect. C, resolution 44/2.

[62] Resolution 54/132, annex.

[63] Resolution S-20/3, annex.

[64] Resolution S-20/4 E.

[65] United Nations, *Treaty Series*, vol. 520, No. 7515.

[66] Ibid., vol. 1019, No. 14956.

[67] E/CN.7/2001/2 and Add.1–3, E/CN.7/2001/16 and E/CN.7/2003/2 and Add.1–6.

[68] United Nations, *Treaty Series*, vol. 976, No. 14152.

[69] See *Official Records of the United Nations Conference for the Adoption of a Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, Vienna, 25 November–20 December 1988*, vol. I (United Nations publication, Sales No. E.94.XI.5).

II

International cooperation to counter the world drug problem and follow-up to the twentieth special session

1. *Reaffirms* the Joint Ministerial Statement and further measures to implement the action plans emanating from the twentieth special session of the General Assembly, adopted during the ministerial segment of the forty-sixth session of the Commission on Narcotic Drugs,[70] which emphasizes that the world drug problem must be addressed in multilateral, regional, bilateral and national settings and that, in order to succeed, action to counter it has to involve all Member States, that action must be supported by strong international and development cooperation and must be further included in national development priorities, and that it requires a balance between supply reduction and demand reduction, as well as a comprehensive strategy that combines alternative development, including, as appropriate, preventive alternative development, eradication, interdiction, law enforcement, prevention, treatment and rehabilitation as well as education;

2. *Calls upon* all relevant actors to continue their close cooperation with Governments in promoting and implementing the outcome of the twentieth special session and of the ministerial segment of the forty-sixth session of the Commission on Narcotic Drugs;

National drug control strategies

3. *Stresses* that, in order to be able to further develop sound, evidence-based drug control policies, data collection and analysis and evaluation of the results of ongoing policies are essential tools;

Demand reduction

4. *Urges* all Member States to implement the Action Plan[62] for the Implementation of the Declaration on the Guiding Principles of Drug Demand Reduction[63] and to strengthen their national efforts to counter the abuse of illicit drugs in their population, in particular among children and young people, noting with concern the increasing levels of drug abuse among them;

5. *Urges* States, in order to achieve a significant and measurable reduction of drug abuse by 2008:

(*a*) To further implement comprehensive demand reduction policies and programmes, including research, covering all drugs under international control, in order to raise public awareness of the drug problem, paying special attention to prevention and education and providing, especially to young people and others at risk, information on developing life skills, making healthy choices and engaging in drug-free activities;

(*b*) To further develop and implement comprehensive demand reduction policies, including risk reduction activities, that are in line with sound medical practice and the international drug control treaties and that reduce the adverse health and social consequences of drug abuse, and to provide a wide range of comprehensive services for the treatment, rehabilitation and social reintegration of drug abusers, with appropriate resources being devoted to such services, since social exclusion constitutes an important risk factor for drug abuse;

(*c*) To enhance early intervention programmes that dissuade children and young people from the use of illicit drugs, including polydrug use and the recreational use of substances such as cannabis and synthetic drugs, especially amphetamine-type stimulants, and to encourage the active participation of the younger generation in campaigns against drug abuse;

(*d*) To provide a comprehensive range of services for preventing the transmission of HIV/AIDS and other infectious diseases associated with drug abuse, including education, counselling and drug abuse treatment, and in particular to assist developing countries in their efforts to deal with these issues;

Illicit synthetic drugs

6. *Urges* States to renew their efforts, at the national, regional and international levels, to implement the comprehensive measures covered in the Action Plan against Illicit Manufacture, Trafficking and Abuse of Amphetamine-type Stimulants and Their Precursors,[71] to make special efforts to counter the abuse and recreational use of amphetamine-type stimulants, especially by young people, and to disseminate information on the adverse health, social and economic consequences of such abuse;

Control of precursors

7. *Encourages* States:

(*a*) To establish or strengthen mechanisms for making the most effective use of existing systems and for ensuring strict control of chemical precursors used to manufacture illicit drugs;

(*b*) To support international operations aimed at preventing the diversion of chemical precursors used in the illicit manufacture of cocaine, heroin and amphetamine-type stimulants by exchanging information with other States and conducting timely joint law enforcement operations, including the use of controlled deliveries;

(*c*) To further international cooperation in the implementation of article 12, on control of precursors, of the

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[70] A/58/124, sect. II.A.

[71] See resolution S-20/4 A.

United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988,[69] in close cooperation with the International Narcotics Control Board, and the measures agreed upon at the twentieth special session;[72]

Judicial cooperation

8. *Calls upon* all States to strengthen international cooperation among judicial and law enforcement authorities at all levels in order to prevent and combat illicit drug trafficking and to share and promote best operational practices in order to interdict illicit drug trafficking, including by establishing and strengthening regional mechanisms, providing technical assistance and establishing effective methods for cooperation, in particular in the areas of air, maritime and port control;

Countering money-laundering

9. *Urges* States to strengthen action, in particular international cooperation and technical assistance aimed at preventing and combating the laundering of proceeds derived from drug trafficking and related criminal activities, with the support of the United Nations system, international institutions such as the World Bank and regional development banks, to develop and strengthen comprehensive international regimes to combat money-laundering, and to improve information-sharing among financial institutions and agencies in charge of preventing and detecting the laundering of those proceeds;

10. *Calls upon* States to consider including provisions in their national drug control plans for the establishment of national networks to enhance their respective capabilities to prevent, monitor, control and suppress serious offences connected with money-laundering and the financing of terrorist acts, and in general to counter all acts of transnational organized crime, and to supplement existing regional and international networks dealing with money-laundering;

International cooperation in illicit crop eradication and alternative development

11. *Calls upon* States, where appropriate:

(*a*) To enhance support, including, where appropriate, through the provision of new and additional financial resources, for alternative development and elimination programmes undertaken by countries affected by the illicit cultivation of cannabis, especially in Africa, of opium poppy and of coca bush, in particular national programmes that seek to reduce social marginalization and promote sustainable economic development;

(*b*) To enhance joint strategies, through international and regional cooperation, to strengthen, including by training and education, alternative development, eradication and interdiction capacity, with the aim of eliminating illicit crop cultivation;

(*c*) To encourage international cooperation, including, as appropriate, preventive alternative development, to prevent illicit crop cultivation from emerging in or being relocated to other areas;

(*d*) To provide, in accordance with the principle of shared responsibility, greater access to their markets for products of alternative development programmes, which are necessary for the creation of employment and the eradication of poverty;

(*e*) To establish or reinforce, where appropriate, national mechanisms to monitor and verify illicit crops;

(*f*) To continue to contribute to the maintenance of a balance between the licit supply of and demand for opiate raw materials used for medical and scientific purposes and to cooperate in preventing the proliferation of sources of production of opiate raw materials;

12. *Welcomes* the adoption by the Transitional Government of Afghanistan of a national drug strategy, and notes the need for continued coordination with the international efforts;

13. *Recommends* that adequate help be provided to Afghanistan within the framework of the comprehensive international strategy, carried out, inter alia, under the auspices of the United Nations and through other multilateral forums, in support of the commitment of the Transitional Government of Afghanistan, including the strengthening of "security belts" in the region, and reaffirms that the response to this unique situation will not detract from the commitments and resources devoted to the fight against drugs in other parts of the world;

III

Action by the United Nations system

1. *Emphasizes* that the multidimensional nature of the world drug problem calls for the promotion of integration and coordination of drug control activities throughout the United Nations system, including in the follow-up to major United Nations conferences, as well as other relevant multilateral institutions and organizations;

2. *Reaffirms its resolve* to continue to strengthen the United Nations machinery for international drug control, in particular the Commission on Narcotic Drugs, the United Nations International Drug Control Programme and the International Narcotics Control Board, in order to enable them to fulfil their mandates, bearing in mind the recommendations contained in Economic and Social Council resolution 1999/30 of 28 July 1999 and the measures taken and recommendations adopted by the Commission on Narcotic Drugs at its forty-fourth, forty-fifth and forty-sixth sessions, aimed at the

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[72] See resolution S-20/4 B.

enhancement of its functioning, in particular in its resolutions 44/16 of 29 March 2001,[73] 45/17 of 15 March 2002[74] and 46/8 of 15 April 2003;[75]

3. *Encourages* the Commission on Narcotic Drugs, as the global coordinating body in international drug control and as the governing body of the United Nations International Drug Control Programme, and the International Narcotics Control Board to continue their useful work on the control of precursors and other chemicals used in the illicit manufacture of narcotic drugs and psychotropic substances;

4. *Notes* that the International Narcotics Control Board needs sufficient resources to carry out all its mandates, and therefore urges Member States to commit themselves in a common effort to assigning adequate and sufficient budgetary resources to the Board, in accordance with Economic and Social Council resolution 1996/20 of 23 July 1996, and emphasizes the need to maintain its capacity, inter alia, through the provision of appropriate means by the Secretary-General and adequate technical support by the United Nations International Drug Control Programme, and calls for enhanced cooperation and understanding between Member States and the Board in order to enable it to implement all its mandates under the international drug control conventions;

5. *Welcomes* the efforts of the United Nations International Drug Control Programme to implement its mandate, and requests the Programme to continue:

(*a*) To strengthen dialogue with Member States and also to ensure continued improvement in management, so as to contribute to enhanced and sustainable programme delivery and further encourage the Executive Director to maximize the effectiveness of the Programme, inter alia, through the full implementation of Commission on Narcotic Drugs resolutions 44/16 and 45/17, in particular the recommendations contained therein;

(*b*) To strengthen cooperation with Member States and with United Nations programmes, funds and relevant agencies, as well as relevant regional organizations and agencies and non-governmental organizations, and to provide, on request, assistance in implementing the outcome of the twentieth special session;

(*c*) To increase its assistance, within the available voluntary resources, to countries that are deploying efforts to reduce illicit crop cultivation by, in particular, adopting alternative development programmes, and to explore new and innovative funding mechanisms;

(*d*) To allocate, while keeping the balance between supply and demand reduction programmes, adequate resources to allow it to fulfil its role in the implementation of the Action Plan[62] for the Implementation of the Declaration on the Guiding Principles of Drug Demand Reduction,[63] and support countries, upon their request, to further develop and implement drug demand reduction policies;

(*e*) To strengthen dialogue and cooperation with multilateral development banks and with international financial institutions so that they may undertake lending and programming activities related to drug control in interested and affected countries to implement the outcome of the twentieth special session, and to keep the Commission on Narcotic Drugs informed of further progress made in this area;

(*f*) To take into account the outcome of the twentieth special session, to include in its report on the illicit traffic in drugs an updated, objective and comprehensive assessment of worldwide trends in illicit traffic and transit in narcotic drugs and psychotropic substances, including methods and routes used, and to recommend ways and means of improving the capacity of States along those routes to address all aspects of the drug problem;

(*g*) To publish the *World Drug Report*, with comprehensive and balanced information about the world drug problem, and to seek additional extrabudgetary resources for its publication in all the official languages;

(*h*) To provide technical assistance, from available voluntary contributions for that purpose, to those States identified by relevant international bodies as the most affected by the transit of drugs, in particular developing countries in need of such assistance and support;

(*i*) To develop action-oriented strategies to assist Member States to implement the Action Plan for the Implementation of the Declaration, and to report to the Commission on Narcotic Drugs at its forty-seventh session on the follow-up to the Action Plan;

(*j*) To provide assistance, subject to the availability of resources, at the request of States and respecting fully their sovereignty and territorial integrity, and with the support of the United Nations Office for Outer Space Affairs and the European Space Agency, among others, in detecting on time the emergence or relocation of illicit crop cultivation;

6. *Welcomes* the holding in Paris, on 21 and 22 May 2003, of the Conference on Drug Routes from Central Asia to Europe, and encourages the United Nations Office on Drugs and Crime and other relevant international institutions to continue in their follow-up action on the recommendations of the Conference (the Paris Pact);[76]

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[73] See *Official Records of the Economic and Social Council, 2001, Supplement No. 8* (E/2001/28/Rev.1), chap. I, sect. C.

[74] Ibid., *2002, Supplement No. 8* and corrigenda (E/2002/28 and Corr.1 and 2), chap. I, sect. C.

[75] Ibid., *2003, Supplement No. 8* (E/2003/28), chap. I, sect. C.

[76] See S/2003/641.

7. *Requests* the United Nations Office on Drugs and Crime, subject to the availability of resources and the Commission on Narcotic Drugs guidelines for the use of general-purpose funds, together with international financial institutions and the organizations involved in preventing and suppressing money-laundering and drug trafficking, to facilitate the provision of training and advice through technical cooperation in States, when requested, taking into account, inter alia, the recommendations on money-laundering and the financing of terrorism formulated by the Financial Action Task Force on Money Laundering and its regional groups;

8. *Urges* all Governments to provide the fullest possible financial and political support to the United Nations International Drug Control Programme by widening its donor base and increasing voluntary contributions, in particular general-purpose contributions, to enable it to continue, expand and strengthen its operational and technical cooperation activities, and recommends that a sufficient share of the regular budget of the United Nations be allocated to the Programme to enable it to fulfil its mandates and to work towards securing assured and predictable funding;

9. *Encourages* the meetings of Heads of National Drug Law Enforcement Agencies and of the Subcommission on Illicit Drug Traffic and Related Matters in the Near and Middle East of the Commission on Narcotic Drugs to continue to contribute to the strengthening of regional and international cooperation, taking into account the outcome of the twentieth special session and the ministerial segment of the forty-sixth session of the Commission on Narcotic Drugs;

10. *Calls upon* the relevant United Nations agencies and entities, other international organizations and international financial institutions, including regional development banks, to mainstream drug control issues into their programmes;

11. *Takes note* of the report of the Commission on Narcotic Drugs[77] and the report of the Secretary-General,[78] and, taking into account the promotion of integrated reporting, requests the Secretary-General to submit to the General Assembly at its fifty-ninth session a report on the implementation of the present resolution.

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[77] A/58/124.

[78] A/58/253.

RESOLUTION 58/142

Adopted at the 77th plenary meeting, on 22 December 2003, without a vote, on the recommendation of the Committee (A/58/501, para. 43)[79]

58/142. Women and political participation

The General Assembly,

Reaffirming the obligations of all States to promote and protect human rights and fundamental freedoms as stated in the Charter of the United Nations, and guided by the purposes and principles of human rights instruments,

Reaffirming also the Universal Declaration of Human Rights,[80] which states that everyone has the right to take part in the government of his or her country and the right of equal access to public service,

Recalling the International Covenant on Civil and Political Rights,[81] which states, inter alia, that every citizen shall have the right and opportunity to take part in the conduct of public affairs, directly or through freely chosen representatives, to vote and to be elected at genuine periodic elections and to have access, on general terms of equality, to public service in his or her country,

Recalling also the Convention on the Elimination of All Forms of Discrimination against Women,[82] which states, inter alia, that States parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country,

Recalling further the Convention on the Political Rights of Women,[83] which states that women shall be, on equal terms with men and without any discrimination, entitled to vote in all elections, eligible for election to all publicly elected bodies established by national law and entitled to hold public office and to exercise all public functions established by national law,

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[79] The draft resolution recommended in the report was sponsored in the Committee by: Albania, Andorra, Angola, Argentina, Armenia, Australia, Azerbaijan, Bahamas, Bangladesh, Barbados, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Bulgaria, Burkina Faso, Cameroon, Canada, Cape Verde, Central African Republic, Chile, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Democratic Republic of the Congo, Denmark, Dominican Republic, Ecuador, El Salvador, Eritrea, Ethiopia, Ghana, Greece, Guatemala, Guinea-Bissau, Haiti, Honduras, Hungary, India, Indonesia, Ireland, Israel, Italy, Japan, Jordan, Kazakhstan, Kenya, Lesotho, Luxembourg, Madagascar, Malawi, Mali, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Mongolia, Morocco, Mozambique, Netherlands, Nicaragua, Nigeria, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Vincent and the Grenadines, Samoa, San Marino, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Suriname, Swaziland, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Uzbekistan, Vanuatu, Viet Nam and Zambia.

[80] Resolution 217 A (III).

[81] See resolution 2200 A (XXI), annex.

[82] Resolution 34/180, annex.

[83] Resolution 640 (VII), annex.

Recalling the Beijing Declaration and Platform for Action,[84] the outcome of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century",[85] the United Nations Millennium Declaration [86] and agreed conclusions 1997/2 on women in power and decision-making, adopted by the Commission on the Status of Women on 21 March 1997,[87]

Affirming that the empowerment and autonomy of women and the improvement of their political, social and economic status are essential to the achievement of representative, transparent and accountable government, democratic institutions and sustainable development in all areas of life,

Affirming also that the active participation of women, on equal terms with men, at all levels of decision-making is essential to the achievement of equality, sustainable development, peace and democracy,

Concerned that, despite general acceptance of the need for gender balance in decision-making bodies at all levels, women are still largely underrepresented at most levels of government, especially in ministerial and other executive bodies, and in legislative bodies,

Recognizing that women have demonstrated considerable leadership in community and informal organizations, as well as in public office,

Recognizing also that women's full and equal participation in the political process and decision-making will provide a balance that more accurately reflects the composition of society, is needed to strengthen democracy and promote its proper functioning, plays a pivotal role in furthering women's equal status, including improving women's socio-economic status, and contributes to redefining political priorities and providing new perspectives on political issues,

Recognizing further that women's participation in decision-making and in political, civil, economic, social and cultural life is negatively affected by poverty, which disproportionately affects women, particularly in developing countries,

Reaffirming the important role of women in the prevention and resolution of conflicts and in peace-building, and stressing the importance of their full and equal participation in all efforts to maintain and promote peace and security and the need to increase their role in decision-making with regard to conflict prevention and resolution and the rebuilding of post-conflict society, in accordance with Security Council resolution 1325 (2000) of 31 October 2000 and the relevant resolutions of the General Assembly,

Recognizing the importance of education and training from an early age in government, public policy, economics, civics, information technology and science to ensure that women develop the knowledge, skills, confidence and ethical values needed to participate fully in society and the political process,

1. *Urges* States:

(*a*) To promote and protect the right of women to associate freely, express their views publicly, openly debate political policy and petition and participate in their Government at all levels, including in the formulation and implementation of government policy, on equal terms with men;

(*b*) To eliminate laws, regulations and practices that, in a discriminatory manner, prevent or restrict women's participation in the political process and to implement positive measures that would accelerate the achievement of equality between men and women;

(*c*) To ensure equal access to education, property rights and inheritance rights and to promote equal access to information technology and business and economic opportunities, including in international trade, in order to provide women with the tools that enable them to take part fully and equally in decision-making processes at all levels;

(*d*) To counter, as appropriate, negative societal attitudes about women's capacity to participate equally in the political process that contribute to the low proportion of women among political decision makers at the local, national and international levels;

(*e*) To promote the goal of gender balance in all public positions and to take all appropriate measures to encourage political parties to ensure that women have a fair and equal opportunity to compete for all elective and non-elective public positions;

(*f*) To review the differential impact of their electoral systems on the political representation of women in elected bodies and to adjust or reform those systems where appropriate;

(*g*) To institute educational programmes, as appropriate, in the school curriculum that sensitize young people about the equal rights of women, teach civic responsibilities, promote confidence-building and counter negative societal attitudes that discourage women's political participation;

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[84] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

[85] Resolution S-23/2, annex, and resolution S-23/3, annex.

[86] See resolution 55/2.

[87] See *Official Records of the Economic and Social Council, 1997, Supplement No. 7* (E/1997/27), chap. I, sect. C.1.

(*h*) To monitor progress in the representation of women through the regular collection, analysis and dissemination of data on the political participation of women and men at all levels and the progress of political parties in providing equal and fair opportunities for women to participate;

(*i*) To identify and propose more women candidates for senior and decision-making positions in the United Nations system and for appointment or election to intergovernmental expert and treaty bodies, and to encourage more women to apply for those positions;

(*j*) To promote gender balance for their delegations to United Nations and other international meetings and conferences;

(*k*) To encourage greater involvement of indigenous and other marginalized women in decision-making at all levels and to address and counter the barriers faced by marginalized women in accessing and participating in politics and decision-making;

(*l*) To ensure that measures to reconcile family and professional life apply equally to women and men, bearing in mind that the sharing of family responsibilities between women and men creates an enabling environment for women's political participation;

2. *Invites* Governments, as well as the private sector, non-governmental organizations and other actors of civil society:

(*a*) To develop mechanisms and training programmes that encourage women to participate in the electoral process and improve women's capacity to cast informed votes in free and fair elections;

(*b*) To encourage political parties to remove all barriers that directly or indirectly discriminate against the participation of women, in order to ensure that women have the right to participate fully at all levels of decision-making in all internal policy-making structures and nominating processes and in the leadership of political parties on equal terms with men;

(*c*) To encourage political parties to actively seek qualified women candidates, to provide training in conducting campaigns, public speaking, fund-raising and parliamentary procedure and to include qualified women and men on their party lists for elective office, where such lists exist;

(*d*) To strive to ensure that information about candidates, political party platforms, voting procedures, including voter registration, and electoral law is available to women on an equal basis with men;

(*e*) To support initiatives, including public-private partnerships and exchange programmes, to expand women's political skills, which include imparting or enhancing skills on how to vote, advocate, manage and govern, run for public office and serve as elected and appointed officials;

(*f*) To promote the participation of young people, especially women, in civil society organizations to enable them to acquire experience, skills and capacities that are transferable to the field of political participation;

(*g*) To encourage the establishment of and the support of existing non-governmental organizations that provide training in leadership, decision-making, public-speaking skills, use of information and communication technologies, confidence-building and political campaigning;

(*h*) To intensify efforts to increase the number of women in public bodies, including through research into barriers to women's access to high-level public appointments;

(*i*) To promote recruitment and career-development programmes that provide women equal access to managerial, entrepreneurial, technical and leadership training, in order to better enable them to assume legislative, judicial and executive positions in government;

(*j*) To continue to study links between poverty eradication, the empowerment of women, in particular with regard to women's political participation, and to compile and widely disseminate good practices and lessons learned;

(*k*) To promote equal opportunities for women to gain appointment to advisory and decision-making bodies and promotion to senior positions by, inter alia, reviewing the criteria for recruitment, appointment and promotion, to ensure that such criteria are relevant to and do not discriminate against women;

(*l*) To develop programmes to educate and train women and girls in using the media and information and communication technologies in order to obtain and impart information, be informed voters, network, communicate with potential voters and raise campaign funds;

(*m*) To encourage the media to recognize the importance of women's participation in the political process, provide fair and balanced coverage of male and female candidates, cover participation in women's political organizations and ensure coverage of issues that have a particular impact on women;

3. *Urges* States and the United Nations system to increase the participation of women at all levels of decision-making in conflict resolution and peace processes;

4. *Invites* non-governmental organizations and other actors of civil society:

(*a*) To advocate at all levels to enable women to influence political, economic and social decisions, processes and systems, including by building and strengthening networks among women;

(*b*) To establish, consistent with data-protection legislation, databases on women and their qualifications for use in appointing women to senior decision-making and advisory positions, for dissemination to Governments, regional and international organizations and private enterprise, political parties and other relevant bodies;

(*c*) To increase coordination and cooperation in supporting women and to continue to present women's concerns and experiences to Governments;

5. *Requests* the Secretary-General, in his report to the Commission on the Status of Women at its fiftieth session, to include information on the participation of women in politics at all levels, bearing in mind that in 2006 the Commission will consider the item entitled "Equal participation of women and men in decision-making processes at all levels", and encourages Governments to cooperate with the Secretary-General by providing precise data on the political participation of women at all levels.

RESOLUTION 58/143

Adopted at the 77th plenary meeting, on 22 December 2003, without a vote, on the recommendation of the Committee (A/58/501, para. 43)[88]

58/143. Violence against women migrant workers

The General Assembly,

Recalling all of its previous resolutions on violence against women migrant workers and those adopted by the Commission on the Status of Women, the Commission on Human Rights and the Commission on Crime Prevention and Criminal Justice, and the Declaration on the Elimination of Violence against Women,[89]

Reaffirming the provisions concerning women migrant workers contained in the outcome documents of the World Conference on Human Rights,[90] the International Conference on Population and Development,[91] the Fourth World Conference on Women[92] and the World Summit for Social Development[93] and their five-year reviews,

Noting the various activities initiated by entities in the United Nations system, such as the Hemispheric Conference on International Migration: Human Rights and the Trafficking in Persons in the Americas, organized by the Economic Commission for Latin America and the Caribbean and the International Organization for Migration, held at Santiago from 20 to 22 November 2002, as well as other activities that continue to assess and alleviate the plight of women migrant workers,

Emphasizing the need for objective, comprehensive, broad-based information, possibly including a database for research and analysis, and a wide exchange of experience and lessons learned by individual Member States and civil society in the formulation of policies and concrete strategies to address the problem of violence against women migrant workers,

Encouraging the continuing participation of civil society in developing and implementing appropriate measures to support innovative partnerships among public agencies, non-governmental organizations and other members of civil society for combating violence against women migrant workers,

Noting the large numbers of women from developing countries and some countries with economies in transition who continue to venture forth to more affluent countries in search of a living for themselves and their families as a consequence of poverty, unemployment and other socio-economic conditions, and acknowledging the duty of the countries of origin to try to create conditions that provide employment and economic security for their citizens,

Expressing deep concern at the continuing reports of grave abuses and acts of violence committed against women migrant workers,

Realizing that the movement of a significant number of women migrant workers may be facilitated and made possible by means of fraudulent or irregular documentation and sham marriages with the object of migration, that this may be facilitated through, among other things, the Internet, and that these women migrant workers are more vulnerable to abuse and exploitation,

Acknowledging the economic benefits that accrue to both the country of origin and the country of destination from the employment of women migrant workers,

Recognizing the importance of joint and collaborative approaches and strategies at the bilateral, regional, interregional and international levels in protecting and promoting the rights and welfare of women migrant workers,

Recognizing also the importance of exploring the link between migration and trafficking,

Encouraged by some measures adopted by some countries of destination to alleviate the plight of women migrant workers residing in their areas of jurisdiction,

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[88] The draft resolution recommended in the report was sponsored in the Committee by: Argentina, Azerbaijan, Bangladesh, Bolivia, Burkina Faso, Cambodia, Cape Verde, Chile, Costa Rica, Croatia, Democratic Republic of the Congo, Ecuador, El Salvador, Ethiopia, Gambia, Ghana, Guatemala, Haiti, Honduras, Indonesia, Kyrgyzstan, Madagascar, Mali, Mexico, Mongolia, Morocco, Nicaragua, Nigeria, Pakistan, Paraguay, Peru, Philippines, Rwanda, Saint Vincent and the Grenadines, Senegal, Sierra Leone, Sri Lanka, Swaziland, Timor-Leste, Togo, Tunisia and Uruguay.

[89] See resolution 48/104.

[90] A/CONF.157/24 (Part I), chap. III.

[91] *Report of the International Conference on Population and Development, Cairo, 5–13 September 1994* (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex.

[92] *Report of the Fourth World Conference on Women, Beijing, 4–15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

[93] *Report of the World Summit for Social Development, Copenhagen, 6–12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annexes I and II.

Underlining the important role of relevant United Nations treaty bodies in monitoring the implementation of human rights conventions and the relevant special procedures, within their respective mandates, in addressing the problem of violence against women migrant workers and in protecting and promoting their rights and welfare,

1. *Takes note* of the report of the Secretary-General;[94]

2. *Also takes note* of the reports of the Special Rapporteur of the Commission on Human Rights on the human rights of migrants[95] and of the Special Rapporteur of the Commission on Human Rights on violence against women, its causes and consequences,[96] with regard to violence against women migrant workers, and encourages the Special Rapporteurs to continue to address the issue of violence against women migrant workers and their human rights, in particular the problems of gender-based violence and of discrimination, as well as trafficking in women;

3. *Acknowledges with appreciation* the entry into force of the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families[97] on 1 July 2003;

4. *Requests* all Governments to continue to cooperate fully with both Special Rapporteurs in the performance of their tasks and mandated duties and to furnish all information requested, including by reacting promptly to the urgent appeals of the Special Rapporteurs;

5. *Encourages* Governments, in particular those of the countries of origin and destination, to make available to the Special Rapporteur on the human rights of migrants information on violence against women migrant workers, with a view to requesting the Special Rapporteur to recommend concrete measures and actions to address the problem;

6. *Also encourages* Governments to give serious consideration to inviting the Special Rapporteur to visit their countries so as to enable her to fulfil the mandate effectively;

7. *Urges* concerned Governments, in particular those of the countries of origin and destination, to strengthen further their national efforts to protect and promote the rights and welfare of women migrant workers, including through sustained bilateral, regional, interregional and international cooperation, by developing strategies and joint action and taking into account the innovative approaches and experiences of individual Member States, and to establish and maintain continuing dialogues to facilitate the exchange of information;

8. *Also urges* concerned Governments, in particular those of the countries of origin and destination, to support and allocate appropriate resources for programmes aimed at strengthening preventive action, in particular information for target groups, education and campaigns to increase public awareness of this issue at the national and grass-roots levels, in cooperation with non-governmental organizations;

9. *Notes with appreciation* the adoption by Member States, including countries of origin, transit and destination, of measures to inform women migrant workers of their rights and the benefits to which they are entitled, and encourages other Member States to adopt appropriate measures in this regard;

10. *Calls upon* concerned Governments, in particular those of the countries of origin and destination, if they have not done so, to put in place penal and criminal sanctions to punish perpetrators of violence against women migrant workers and, to the extent possible, to provide and to encourage non-governmental organizations to provide victims of violence with the full range of immediate assistance and protection, such as counselling, legal and consular assistance, temporary shelter and other measures that will allow them to be present during the judicial process, as well as to establish reintegration and rehabilitation schemes for returning women migrant workers to their countries of origin;

11. *Encourages* concerned Governments, in particular those of the countries of origin and destination, to support and, if they have not done so, to formulate and implement training programmes for their law enforcers, prosecutors and service providers with a view to instilling among those public sector workers the necessary skills and attitude to ensure the delivery of proper and professional interventions for women migrant workers who are subjected to abuse and violence;

12. *Also encourages* concerned Governments, in particular those of the countries of origin and destination, to adopt measures or strengthen existing ones to regulate the recruitment and deployment of women migrant workers, and to consider the adoption of appropriate legal measures against intermediaries who deliberately encourage the clandestine movement of workers and who exploit women migrant workers;

13. *Invites* Governments to identify the causes of undocumented migration and its economic, social and demographic impact, as well as its implications for the formulation and application of social, economic and migration policies, including those relating to women migrant workers;

14. *Encourages* concerned Governments, in particular those of the countries of origin, transit and destination, to avail themselves of the expertise of the United Nations, including the Statistics Division of the Secretariat and other relevant bodies,

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[94] A/58/161.

[95] E/CN.4/2003/85 and Add.1 and Add.1/Corr.1, Add.2, Add.3 and Add.3/Corr.1 and Add.4.

[96] E/CN.4/2003/75 and Corr.1 and Add.1, Add.2 and Add.2/Corr.1, Add.3 and Add.4.

[97] Resolution 45/158, annex.

such as the International Research and Training Institute for the Advancement of Women, to develop appropriate national data-collection methodologies that will generate comparable data on violence against women migrant workers as bases for research and analysis of the subject;

15. *Encourages* Member States to consider signing and ratifying or acceding to relevant International Labour Organization conventions and to consider signing and ratifying or acceding to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, as well as the Slavery Convention of 1926;[98]

16. *Welcomes* the imminent entry into force of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,[99] and the adoption by the General Assembly of the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime,[99] and encourages Governments to consider signing and ratifying or acceding to the Protocols;

17. *Encourages* the Committee on the Elimination of Discrimination against Women to consider developing a general recommendation on the situation of women migrant workers;

18. *Requests* the Secretary-General to report to the General Assembly at its sixtieth session on the problem of violence against women migrant workers and on the implementation of the present resolution, taking into account updated information from the organizations of the United Nations system, in particular the International Labour Organization, the United Nations Development Programme, the United Nations Development Fund for Women and the International Research and Training Institute for the Advancement of Women, as well as the International Organization for Migration and other relevant sources, including non-governmental organizations.

RESOLUTION 58/144

Adopted at the 77th plenary meeting, on 22 December 2003, without a vote, on the recommendation of the Committee (A/58/501, para. 43)[100]

58/144. Improvement of the status of women in the United Nations system

The General Assembly,

Recalling Articles 1 and 101 of the Charter of the United Nations, as well as Article 8, which provides that the United Nations shall place no restrictions on the eligibility of men and women to participate in any capacity and under conditions of equality in its principal and subsidiary organs,

Recalling also the goal, contained in the Platform for Action adopted by the Fourth World Conference on Women,[101] of achieving overall gender equality, particularly at the Professional level and above, by 2000 and the further actions and initiatives set out in the outcome document adopted by the General Assembly at its twenty-third special session, entitled "Women 2000: gender equality, development and peace for the twenty-first century",[102]

Recalling further its resolution 57/180 of 18 December 2002, as well as its resolution 57/305 of 15 April 2003, in particular section II, paragraphs 39 to 41 thereof,

Taking note of Commission on Human Rights resolution 2003/44 of 23 April 2003 on integrating the human rights of women throughout the United Nations system,[103] in particular paragraph 15 thereof, in which the Commission recognized that gender mainstreaming would strongly benefit from the enhanced and full participation of women, including at the higher levels of decision-making within the United Nations system,

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[98] United Nations, *Treaty Series*, vol. 212, No. 2861.

[99] See resolution 55/25.

[100] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Andorra, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Dominica, Dominican Republic, Ecuador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Ghana, Greece, Guatemala, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Ireland, Israel, Italy, Jamaica, Japan, Kazakhstan, Kenya, Latvia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Malta, Mauritius, Mexico, Micronesia (Federated States of), Mongolia, Morocco, Mozambique, Myanmar, Namibia, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Rwanda, Saint Kitts and Nevis, Saint Lucia, Samoa, San Marino, Senegal, Sierra Leone, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Venezuela, Viet Nam, Zambia and Zimbabwe.

[101] *Report of the Fourth World Conference on Women, Beijing, 4–15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex II.

[102] Resolution S-23/3, annex.

Taking into account the continuing lack of representation or underrepresentation of women from certain countries, in particular from developing countries, including least developed countries and small island developing States, from countries with economies in transition and from unrepresented or largely underrepresented Member States,

Noting with appreciation the efforts of the Office of Programme Planning, Budget and Accounts, the Office of Human Resources Management, the Department of Public Information, the Office of the Under-Secretary-General for Management and the Executive Office of the Secretary-General and the United Nations Institute for Training and Research in achieving or maintaining the goal of gender balance, as well as those departments and offices that have met or exceeded the goal of 50 per cent in the selection of women candidates for vacant posts in the past year,

Expressing particular concern that, for the second consecutive year, there was a slowing of progress towards achieving the target of 50/50 gender balance and that between 1998 and 2003 there has been almost no progress in the rate of representation of women in appointments of one year or more at the Professional and higher levels,

Expressing concern that there is still only one female special representative of the Secretary-General,

Welcoming the work of the Department of Peacekeeping Operations of the Secretariat in issuing guidance for field missions on the procedures to be followed for handling disciplinary issues and allegations of serious misconduct involving mission personnel, and encouraged by the agreement in the Staff-Management Coordination Committee that the procedure for dealing with all forms of sexual harassment will be reviewed and incorporated in a new administrative instruction covering all forms of harassment,

Welcoming also the new flexible working arrangements authorized in all departments and offices of the Secretariat,[104]

Noting with concern that the statistics on the representation of women in some organizations of the United Nations system are not fully up to date,

1. *Takes note with appreciation* of the report of the Secretary-General[105] and the actions described therein;

2. *Regrets* that the goal of 50/50 gender distribution was not met by the end of 2000, and urges the Secretary-General to redouble his efforts to realize significant progress towards this goal in the very near future;

3. *Reaffirms* the urgent goal of achieving 50/50 gender distribution in all categories of posts within the United Nations system, especially at senior and policy-making levels, with full respect for the principle of equitable geographical distribution, in conformity with Article 101, paragraph 3, of the Charter of the United Nations, and also taking into account the continuing lack of representation or underrepresentation of women from certain countries, in particular from developing countries, from countries with economies in transition and from unrepresented or largely underrepresented Member States;

4. *Expresses concern* that in three departments and offices of the Secretariat women still account for less than 30 per cent of professional staff and that in three organizations of the United Nations system women still account for less than 20 per cent of professional staff, and encourages the Secretary-General and the executive heads of the organizations of the United Nations system to intensify their efforts to meet the goal of gender balance within the United Nations system;

5. *Welcomes*:

(*a*) The ongoing personal commitment of the Secretary-General to meeting the goal of gender equality and his assurance that gender balance will be given the highest priority in his continuing efforts to bring about a new management culture in the Organization;

(*b*) The pledge of the executive heads of the organizations of the United Nations system to intensify their efforts to meet the gender equality goals set out in the Beijing Declaration[106] and Platform for Action;[101]

(*c*) The inclusion of the objective of improving gender balance in action plans on human resources management for individual departments and offices, and encourages further cooperation, including the sharing of best-practice initiatives, between heads of departments and offices, the Special Adviser on Gender Issues and Advancement of Women and the Office of Human Resources Management of the Secretariat in the implementation of those plans, which include specific targets and strategies for improving the representation of women in individual departments and offices;

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[103] See *Official Records of the Economic and Social Council, 2003, Supplement No. 3* (E/2003/23), chap. II, sect. A.

[104] See ST/SGB/2003/4.

[105] A/58/374.

[106] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex I.

(*d*) The decision, within the context of the new staff selection system,[107] to hold heads of departments and offices accountable for meeting the gender targets in departmental human resource action plans through their performance compacts;

(*e*) The continuing designation of focal points for women in the United Nations system, and requests the Secretary-General to ensure that the focal points are designated at a sufficiently high level and enjoy full access to senior management, both at Headquarters and in the field;

(*f*) The continuing provision of specific training programmes on gender mainstreaming and gender issues in the workplace, tailored to meet the special needs of individual departments, commends those heads of departments and offices who have launched gender training for their managers and staff, and strongly encourages those who have not yet organized such training to do so as soon as possible;

(*g*) The formulation of a project by the Office of the Under-Secretary-General for Management to strengthen the efforts of the Secretary-General to achieve gender balance by adopting a more coordinated and integrated approach to this issue, with the purpose of setting and achieving verifiable goals to ensure that gender balance targets are attained by 2006;

(*h*) The preparation of a research-based analysis by the Office of the Special Adviser on Gender Issues and Advancement of Women, to be presented to the General Assembly at its fifty-ninth session, of the probable causes of the slow advancement in the improvement of the status of women in the United Nations system, with a view to elaborating new strategies for achieving gender parity;

(*i*) The commitment of the Office of Human Resources Management and the Office of the Special Adviser on Gender Issues and Advancement of Women to explore ways to better integrate the departmental focal points in the new staffing system, so that the focal points can continue to play an important role for the periodic and systematic monitoring of the recruitment, retention and career advancement of women,[108] and looks forward to information on this matter in the next report;

6. *Requests* the Secretary-General, in order to achieve and maintain the goal of 50/50 gender distribution with full respect for the principle of equitable geographical distribution, in conformity with Article 101, paragraph 3, of the Charter:

(*a*) To continue to develop innovative recruitment strategies to identify and attract suitably qualified women candidates, particularly from and in developing countries and countries with economies in transition and other Member States that are unrepresented or underrepresented in the Secretariat, and in occupations in which women are underrepresented;

(*b*) To encourage the United Nations system and its agencies and departments to make more effective use of existing information technology resources and systems and other established methods to disseminate information about employment opportunities for women and to better coordinate rosters of potential women candidates;

(*c*) To continue to monitor closely the progress made by departments and offices in meeting the goal of gender balance, to ensure that the appointment and promotion of suitably qualified women represents at least 50 per cent of all appointments and promotions until the goal of 50/50 gender distribution is met;

(*d*) To strongly encourage heads of departments and offices to continue selecting female candidates when their qualifications are the same as, or better than, those of male candidates, and to effectively encourage, monitor and assess the performance of managers in meeting targets for improving women's representation;

(*e*) To encourage consultation by heads of departments and offices with departmental focal points on women during the selection process and to ensure that the focal points are designated at a sufficiently high level and enjoy full and effective access to senior management;

(*f*) To extend ongoing training and sensitization of managers on gender balance issues;

(*g*) To enable the Office of the Special Adviser on Gender Issues and Advancement of Women to effectively contribute to, monitor and facilitate the setting and implementation of gender targets in human resource action plans, including by ensuring access to the information required to carry out that work;

(*h*) To intensify his efforts to create, within existing resources, a gender-sensitive work environment supportive of the needs of his staff, both women and men, including by actively pursuing appropriate work/life policies, such as flexible working time, flexible workplace arrangements, career development, mentoring programmes and childcare and elder-care needs, as well as through the provision of more comprehensive information to prospective candidates and new recruits on employment opportunities for spouses, the provision of support for the activities of women's networks and organizations within the United Nations system and the expansion of gender-sensitivity training in all departments, offices and duty stations, including more information and training of staff and managers on the benefits of the work/life policies on productivity and effectiveness;

(*i*) To continue to work to strengthen further the policy against harassment, including sexual harassment, by, inter alia, ensuring the full implementation of the guidelines for its application at Headquarters and in the field;

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[107] See ST/AI/2002/4.

[108] See A/58/374, para. 76.

7. *Strongly encourages* the Secretary-General, in the context of his commitment to set concrete targets for the appointment of women as his special representatives and special envoys in order to reach the target of 50/50 gender balance by 2015,[109] to intensify his efforts to appoint more women as special representatives and envoys to pursue good offices on his behalf, especially in matters related to peacekeeping, peace-building, preventive diplomacy and economic and social development, as well as in operational activities, including appointment as resident coordinators, and to appoint more women to other high-level positions;

8. *Encourages* the Secretary-General and the executive heads of the organizations of the United Nations system to continue to develop common approaches for retaining women, promoting inter-agency mobility and improving career development opportunities;

9. *Encourages* the United Nations and Member States to continue to implement the outcome of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century", pertaining to the improvement of the status of women in the United Nations system;[102]

10. *Strongly encourages* Member States:

(*a*) To support the efforts of the United Nations and the specialized agencies, funds and programmes to achieve the goal of 50/50 gender distribution, especially at senior and policy-making levels, by identifying and regularly submitting more women candidates for appointment to positions in the United Nations system, by identifying and proposing national recruitment sources, including through the establishment of networks with professional organizations, that will assist the organizations of the United Nations system in identifying suitable women candidates, in particular from developing countries and countries with economies in transition, by creating awareness among their nationals, particularly women, of available vacancies throughout the United Nations system, and by encouraging more women to apply for positions within the Secretariat, the specialized agencies, funds and programmes and the regional commissions, including in areas in which women are underrepresented, such as peacekeeping, peace-building and other non-traditional areas;

(*b*) To identify women candidates for assignment to peacekeeping missions and to improve the representation of women in military and civilian police contingents;

(*c*) To identify and submit regularly more women candidates for appointment or election to intergovernmental, expert and treaty bodies;

(*d*) To identify and nominate more women candidates for appointment or election as judges or other senior officials in international courts and tribunals;

(*e*) To cooperate closely with the United Nations to facilitate spouse employment at all the major duty stations of the Secretariat and the organizations of the United Nations system;

11. *Requests* the Secretary-General to provide a verbal update to the Commission on the Status of Women at its forty-eighth session[110] and to report to the General Assembly at its fifty-ninth session on the implementation of the present resolution, including by providing up-to-date statistics on the number and percentage of women in all organizational units and at all levels throughout the United Nations system, as well as gender-segregated attrition rates for all organizational units and at all levels, as well as on the implementation of departmental human resource action plans, in particular for the achievement of the gender targets;

12. *Requests* the United Nations and the specialized agencies, funds and programmes of the United Nations system, in order to facilitate the preparation of the above-mentioned report, to submit personnel data on all appointments, promotions and mobility as well as to collect and submit data in a timely fashion to measure accurately progress in achieving gender parity for staff.

RESOLUTION 58/145

Adopted at the 77th plenary meeting, on 22 December 2003, without a vote, on the recommendation of the Committee (A/58/501, para. 43)[111]

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[109] See S/2002/1154, para. 44.

[110] See E/CN.6/2003/8, paras. 24 and 49.

[111] The draft resolution recommended in the report was sponsored in the Committee by: Andorra, Antigua and Barbuda, Armenia, Australia, Austria, Azerbaijan, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Dominican Republic, Ecuador, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malta, Mauritius, Mexico, Mongolia, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Serbia and Montenegro, Sierra Leone, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Suriname, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tunisia, Turkey, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Zambia and Zimbabwe.

58/145. Convention on the Elimination of All Forms of Discrimination against Women

The General Assembly,

Recalling its resolution 57/178 of 18 December 2002 and its previous resolutions on the elimination of discrimination against women,

Bearing in mind that one of the purposes of the United Nations, as stated in Articles 1 and 55 of the Charter, is to promote universal respect for human rights and fundamental freedoms for all without distinction of any kind, including distinction as to sex,

Reiterating the need to intensify efforts to eliminate all forms of discrimination against women throughout the world,

Affirming that women and men should participate equally in social, economic and political development, should contribute equally to such development and should share equally in improved conditions of life,

Recalling the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[112] in which the Conference reaffirmed that the human rights of women and the girl child were an inalienable, integral and indivisible part of universal human rights,

Acknowledging the need for a comprehensive and integrated approach to the promotion and protection of the human rights of women, which includes the integration of the human rights of women into the mainstream of United Nations activities system-wide,

Reaffirming the commitments made in the political declaration[113] and the outcome document[114] of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century", in particular paragraphs 68 (*c*) and (*d*) concerning the Convention on the Elimination of All Forms of Discrimination against Women[115] and the Optional Protocol thereto,[116]

Recalling that, in the United Nations Millennium Declaration,[117] heads of State and Government resolved to implement the Convention,

Recognizing that the equal enjoyment by women of all human rights and fundamental freedoms will promote the realization of the rights of the child, bearing in mind the special needs of girls, and acknowledging the mutual reinforcement of the implementation of the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child[118] and the Optional Protocols thereto,[119]

Welcoming the progress made in the implementation of the Convention on the Elimination of All Forms of Discrimination against Women, but expressing concern about the remaining challenges,

Welcoming also the growing number of States parties to the Convention, which now stands at one hundred and seventy-five,

Recalling the entry into force on 22 December 2000 of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women,

Bearing in mind the recommendation of the Committee on the Elimination of Discrimination against Women that national reports should contain information on the implementation of the Beijing Platform for Action,[120] in accordance with paragraph 323 of the Platform,

Having considered the report of the Committee on its twenty-eighth and twenty-ninth sessions,[121]

Expressing concern at the great number of reports that are overdue and that continue to be overdue, in particular initial reports, which constitutes an obstacle to the full implementation of the Convention,

1. *Welcomes* the report of the Secretary-General[122] on the status of the Convention on the Elimination of All Forms of Discrimination against Women;[115]

2. *Expresses disappointment* that universal ratification of the Convention was not achieved by 2000, and urges all States that have not yet ratified or acceded to the Convention to do so;

3. *Urges* States parties to comply fully with their obligations under the Convention and the Optional Protocol thereto[116] and to take into consideration the concluding comments as well as the general recommendations of the Committee on the Elimination of Discrimination against Women;

4. *Encourages* all relevant entities of the United Nations system, within their mandates, as well as Governments, intergovernmental and non-governmental organizations and, in

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[112] A/CONF.157/24 (Part I), chap. III.

[113] Resolution S-23/2, annex.

[114] Resolution S-23/3, annex.

[115] Resolution 34/180, annex.

[116] Resolution 54/4, annex.

[117] See resolution 55/2.

[118] Resolution 44/25, annex.

[119] Resolution 54/263, annexes I and II.

[120] *Report of the Fourth World Conference on Women, Beijing, 4–15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex II.

[121] *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 38* (A/58/38).

[122] A/58/341.

particular, women's organizations, as appropriate, to strengthen assistance to States parties, upon their request, in implementing the Convention;

5. *Welcomes* the rapidly growing number of States parties to the Optional Protocol, which now stands at fifty-nine, and urges other States parties to the Convention to consider signing and ratifying or acceding to the Optional Protocol;

6. *Notes* the closed meeting held by the Committee on 16 July 2003 with States parties whose reports were more than five years overdue;

7. *Takes note with appreciation* of the fact that the Committee has commenced its work under the Optional Protocol;

8. *Notes* that some States parties have modified their reservations, expresses satisfaction that some reservations have been withdrawn, and urges States parties to limit the extent of any reservations that they lodge to the Convention, to formulate any such reservations as precisely and as narrowly as possible, to ensure that no reservations are incompatible with the object and purpose of the Convention, to review their reservations regularly with a view to withdrawing them and to withdraw reservations that are contrary to the object and purpose of the Convention;

9. *Welcomes* the adoption by the Committee of revised reporting guidelines,[123] and urges States parties to adhere to the revised guidelines, in particular with regard to the content and length of reports;

10. *Recalls* the great number of overdue reports, in particular initial reports, and urges States parties to the Convention to make every possible effort to submit their reports on the implementation of the Convention in a timely manner in accordance with article 18 thereof;

11. *Encourages* the Secretariat to extend further technical assistance to States parties, upon their request, to strengthen their capacity in the preparation of reports, in particular initial reports, and invites Governments to contribute to those efforts;

12. *Invites* States parties to make use of the technical assistance provided by the Secretariat to facilitate the preparation of reports, in particular initial reports;

13. *Commends* the Committee on its contributions to the effective implementation of the Convention;

14. *Strongly urges* States parties to the Convention to take appropriate measures so that acceptance of the amendment to article 20, paragraph 1, of the Convention by a two-thirds majority of States parties can be reached as soon as possible so that the amendment may enter into force;

15. *Expresses its appreciation* for the efforts made so far by the Committee to improve the efficiency of its working methods, and encourages the Committee to continue its activities in this regard;

16. *Encourages* the continued participation of members of the Committee in inter-committee meetings and meetings of persons chairing the human rights treaty bodies, including those on methods of work relating to the State reporting system;

17. *Encourages* the Committee, within its mandate, to continue to contribute to the efforts to strengthen cooperation and coordination between the treaty bodies;

18. *Requests* the Secretary-General, in accordance with General Assembly resolution 54/4 of 6 October 1999, to provide the resources, including staff and facilities, necessary for the effective functioning of the Committee within its full mandate, taking into account in particular the entry into force of the Optional Protocol;

19. *Urges* Governments, organizations and bodies of the United Nations system and intergovernmental and non-governmental organizations to disseminate the Convention and the Optional Protocol thereto;

20. *Encourages* States parties to disseminate the concluding comments adopted in relation to the consideration of their reports as well as the general recommendations of the Committee;

21. *Encourages* all relevant entities of the United Nations system to continue to build women's knowledge and understanding of and capacity to utilize human rights instruments, in particular the Convention and the Optional Protocol thereto;

22. *Urges* the specialized agencies, at the invitation of the Committee, to submit reports on the implementation of the Convention in areas falling within the scope of their activities;

23. *Welcomes* the contribution of non-governmental organizations to the work of the Committee;

24. *Requests* the Secretary-General to submit to the General Assembly at its sixtieth session a report on the status of the Convention on the Elimination of All Forms of Discrimination against Women and the implementation of the present resolution.

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[123] See *Official Records of the General Assembly, Fifty-seventh Session, Supplement No. 38* (A/57/38).

RESOLUTION 58/146

Adopted at the 77th plenary meeting, on 22 December 2003, without a vote, on the recommendation of the Committee (A/58/501, para. 43)[124]

58/146. Improvement of the situation of women in rural areas

The General Assembly,

Recalling its resolution 56/129 of 19 December 2001,

Recalling also the importance attached to the problems of rural women in the Nairobi Forward-looking Strategies for the Advancement of Women,[125] the Beijing Declaration[126] and Platform for Action[127] adopted by the Fourth World Conference on Women, the outcome documents of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century",[128] and the Convention on the Elimination of All Forms of Discrimination against Women,[129]

Recalling further the United Nations Millennium Declaration,[130] in which Member States resolved, inter alia, to promote gender equality and the empowerment of women as effective ways to combat poverty, hunger and disease and to stimulate development that is truly sustainable,

Welcoming the Monterrey Consensus of the International Conference on Financing for Development,[131] as well as the Johannesburg Declaration on Sustainable Development[132] and the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation"),[133] which called upon Governments to mainstream the gender perspective into development at all levels and in all sectors,

Welcoming also the agreed conclusions on women's participation in and access to the media, and information and communication technologies and their impact on and use as an instrument for the advancement and empowerment of women, adopted by the Commission on the Status of Women at its forty-seventh session,[134]

Welcoming further the ministerial declaration of the high-level segment of the substantive session of 2003 of the Economic and Social Council, adopted on 2 July 2003,[135] which stressed the need for rural development to become an integral part of national and international development policies and of the activities and programmes of the United Nations system, and called for an enhanced role for rural women at all levels of rural development, including decision-making,

Recognizing the critical role and contribution of rural women in enhancing agricultural and rural development, improving food security and eradicating rural poverty,

Noting that some effects of globalization may deepen the socio-economic marginalization of rural women,

Noting also that the globalization process has had some benefits by providing opportunities for wage employment for rural women in new sectors,

Mindful of the fact that the available data and existing tools of measurement and analysis are insufficient for a full understanding of the gender implications of the processes of globalization and rural change, and their impact on rural women,

Recognizing the urgent need to take appropriate measures aimed at further improving the situation of women in rural areas,

1. *Takes note* of the report of the Secretary-General;[136]

2. *Requests* the Secretary-General and all relevant United Nations bodies to take into account, while developing future policies, plans and activities, the views expressed by Member States in their replies concerning the desirability of convening a high-level policy consultation at the governmental level, with a view to setting priorities and developing critical

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[124] The draft resolution recommended in the report was sponsored in the Committee by: Angola, Argentina, Bangladesh, Benin, Bolivia, Botswana, Burkina Faso, Burundi, Cambodia, Cameroon, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Democratic Republic of the Congo, Dominican Republic, Ecuador, El Salvador, Ethiopia, Fiji, Ghana, Guatemala, Guyana, Haiti, Honduras, Kazakhstan, Kenya, Kyrgyzstan, Lesotho, Madagascar, Malawi, Malaysia, Mali, Mexico, Mongolia, Morocco, Myanmar, Namibia, Niger, Nigeria, Panama, Peru, Philippines, Rwanda, Senegal, Sierra Leone, South Africa, Swaziland, Thailand, Timor-Leste, Tunisia, Uganda, United Republic of Tanzania, Uruguay, Zambia and Zimbabwe.

[125] *Report of the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace, Nairobi, 15–26 July 1985* (United Nations publication, Sales No. E.85.IV.10), chap. I, sect. A.

[126] *Report of the Fourth World Conference on Women, Beijing, 4–15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex I.

[127] Ibid., annex II.

[128] Resolution S-23/2, annex, and resolution S-23/3, annex.

[129] Resolution 34/180, annex.

[130] See resolution 55/2.

[131] *Report of the International Conference on Financing for Development, Monterrey, Mexico, 18–22 March 2002* (United Nations publication, Sales No. E.02.II.A.7), chap. I, resolution 1, annex.

[132] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 1, annex.

[133] Ibid., resolution 2, annex.

[134] See *Official Records of the Economic and Social Council, 2003, Supplement No. 7* (E/2003/27), chap. I, sect. A; see also Economic and Social Council resolution 2003/44.

[135] See A/58/3 (Part I), chap. III, para. 35. For the final text, see *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 3*.

[136] A/58/167 and Add.1.

strategies that would meet the manifold challenges faced by rural women;

3. *Invites* Member States, in collaboration with the organizations of the United Nations and civil society, as appropriate, to continue their efforts to implement the outcome of and to ensure an integrated and coordinated follow-up to United Nations conferences and summits, including their five-year reviews, and to attach greater importance to the improvement of the situation of rural women in their national, regional and global development strategies by, inter alia:

(*a*) Creating an enabling environment for improving the situation of rural women, including integrating a gender perspective in macroeconomic policies and developing appropriate social support systems;

(*b*) Pursuing the political and socio-economic empowerment of rural women by supporting their full and equal participation in decision-making at all levels, including in rural institutions through, inter alia, the provision of training and capacity-building programmes, including legal literacy;

(*c*) Integrating a gender perspective into the design, implementation, monitoring and evaluation of development policies and programmes, including budget policies, paying increased attention to the needs of rural women so as to ensure that they benefit from policies and programmes adopted in all spheres and that the disproportionate number of rural women living in poverty is reduced;

(*d*) Ensuring that the perspectives of rural women are taken into account and that they participate in the design, implementation, monitoring and evaluation of policies and activities related to emergencies, natural disasters, humanitarian assistance, peace-building and post-conflict reconstruction;

(*e*) Investing in and strengthening efforts to meet the basic needs of rural women through capacity-building and human resources development measures and the provision of a safe and reliable water supply and sanitation, nutritional programmes, education and literacy programmes, and health and social support measures, including in the area of sexual and reproductive health and HIV/AIDS treatment, care and support;

(*f*) Designing and implementing policies that promote and protect the enjoyment by women of all human rights and fundamental freedoms and creating an environment that does not tolerate violations of the rights of women and girls, including domestic violence;

(*g*) Developing specific assistance programmes and advisory services to promote economic skills of rural women in banking, modern trading and financial procedures and providing microcredit and other financial and business services to a greater number of women in rural areas for their economic empowerment;

(*h*) Taking steps towards ensuring that women's unpaid work and contributions to on-farm and off-farm production, including income generated in the informal sector, are visible, and assessing the feasibility of developing and improving mechanisms, such as time-use studies, to measure in quantitative terms unpaid work, recognizing the potential for it to be reflected in the formulation and implementation of policies and programmes at the national and regional levels;

(*i*) Designing and revising laws to ensure that, where private ownership of land and property exists, rural women are accorded full and equal rights to own land and other property, including through the right to inheritance, and undertaking administrative reforms and other necessary measures to give women the same right as men to credit, capital, appropriate technologies and access to markets and information;

(*j*) Promoting programmes to enable rural women and men to reconcile their work and family responsibilities and to encourage men to share equally with women household and childcare responsibilities;

4. *Invites* the Commission on the Status of Women to continue to pay due attention to the situation of rural women in the consideration of the priority themes identified in its multi-year programme of work for the period 2002–2006;

5. *Invites* the relevant organizations of the United Nations system dealing with issues of development to address and support the empowerment of rural women and their specific needs in their programmes and strategies, including in the context of globalization;

6. *Stresses* the need to identify the best practices for ensuring that rural women have access to and full participation in the area of information and communication technologies, inter alia, through specific studies, and invites the World Summit on the Information Society, in Geneva and Tunis, to take into consideration, while addressing gender issues, the priorities and needs of rural women and girls as active users of information and ensure their participation in developing and implementing global information and communication technology strategies;

7. *Invites* Member States, the United Nations and the relevant organizations of its system to ensure that the needs of rural women are mainstreamed into the integrated process of follow-up to the major summits and conferences in the economic and social fields, in particular the World Summit on Sustainable Development and the International Conference on Financing for Development, and the 2005 review of the progress achieved in implementing all the commitments made in the United Nations Millennium Declaration,[130] the Beijing Platform for Action[127] and the outcome documents of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century";[128]

8. *Invites* Member States to take into consideration the concluding comments and recommendations of the Committee on the Elimination of Discrimination against Women concerning their reports to the Committee when formulating policies and designing programmes focused on the improvement of the situation of rural women, including those to be developed and implemented in cooperation with relevant international organizations;

9. *Requests* the Secretary-General to report to the General Assembly at its sixtieth session on the implementation of the present resolution, addressing different aspects of the empowerment of rural women, including the impact of macroeconomic policy frameworks on their situation.

RESOLUTION 58/147

Adopted at the 77th plenary meeting, on 22 December 2003, without a vote, on the recommendation of the Committee (A/58/501, para. 43)[137]

58/147. Elimination of domestic violence against women

The General Assembly,

Reaffirming the obligation of all States to promote and protect all human rights and fundamental freedoms, as stated in the Universal Declaration of Human Rights[138] as well as in other relevant international instruments, and reaffirming also that discrimination on the basis of sex is contrary to the Charter of the United Nations, the Convention on the Elimination of All Forms of Discrimination against Women[139] and other international human rights instruments and that its elimination is an integral part of efforts towards the elimination of violence against women,

Recalling the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights,[140] the Declaration on the Elimination of Violence against Women,[141] the Beijing Declaration and Platform for Action adopted by the Fourth World Conference on Women[142] and the Programme of Action of the International Conference on Population and Development,[143] as well as the follow-up action by the Commission on the Status of Women on violence against women and the outcome documents of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century",[144]

Recalling also all its previous resolutions on the elimination of violence against women,

Taking note of Commission on Human Rights resolution 2003/45 of 23 April 2003 on the elimination of violence against women,[145] as well as all its previous relevant resolutions on this issue,

Bearing in mind that domestic violence against women and girls is a human rights issue,

Recognizing that domestic violence against women is, inter alia, a societal problem and a manifestation of unequal power relations between women and men,

Recognizing also that both men and women have and should take responsibility for promoting gender equality,

Recognizing further the serious immediate and long-term implications for health, including sexual and reproductive health, that domestic violence against women can present for individuals and families,

Recognizing the implications of domestic violence for the social and economic development of communities and States,

Underlining the importance of the empowerment of women and their economic independence as critical tools to prevent and eliminate domestic violence against women,

1. *Recognizes*:

(*a*) That domestic violence is violence that occurs within the private sphere, generally between individuals who are related through blood or intimacy;

(*b*) That domestic violence is one of the most common and least visible forms of violence against women and that its consequences affect many areas of the lives of victims;

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[137] The draft resolution recommended in the report was sponsored in the Committee by: Albania, Andorra, Armenia, Australia, Austria, Azerbaijan, Belgium, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Bulgaria, Cameroon, Canada, Cape Verde, Central African Republic, Chile, Congo, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominica, Dominican Republic, Ecuador, El Salvador, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Hungary, Iceland, India, Indonesia, Ireland, Israel, Italy, Japan, Kazakhstan, Latvia, Lesotho, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malta, Mauritius, Mexico, Mongolia, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Norway, Panama, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Rwanda, San Marino, Slovakia, Slovenia, South Africa, Spain, Swaziland, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay and Venezuela.

[138] Resolution 217 A (III).

[139] Resolution 34/180, annex.

[140] A/CONF.157/24 (Part I), chap. III.

[141] See resolution 48/104.

[142] *Report of the Fourth World Conference on Women, Beijing, 4–15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

[143] *Report of the International Conference on Population and Development, Cairo, 5–13 September 1994* (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex.

[144] Resolution S-23/2, annex, and resolution S-23/3, annex.

[145] See *Official Records of the Economic and Social Council, 2003, Supplement No. 3* (E/2003/23), chap. II, sect. A.

(*c*) That domestic violence can take many different forms, including physical, psychological and sexual violence;

(*d*) That domestic violence is of public concern and requires States to take serious action to protect victims and prevent domestic violence;

(*e*) That domestic violence can include economic deprivation and isolation and that such conduct may cause imminent harm to the safety, health or well-being of women;

2. *Welcomes*:

(*a*) The activities and initiatives of States aimed at the elimination of domestic violence against women, including legal, educational, economic, social and other measures;

(*b*) The work of the Special Rapporteur of the Commission on Human Rights on violence against women, its causes and consequences, and takes note of the report entitled "Developments in the area of violence against women (1994–2002)";[146]

(*c*) The efforts undertaken by United Nations bodies, funds and programmes, including the United Nations Children's Fund and the United Nations Population Fund, to address the issue of domestic violence and encourages them to coordinate their efforts, and, in particular, expresses its appreciation for the initiatives of the United Nations Development Fund for Women to combat violence against women at the international, regional and national levels, as well as the *World Report on Violence and Health* launched by the World Health Organization in 2002, particularly its consideration of gender-based violence;

(*d*) The work carried out by civil society, including non-governmental organizations, such as women's organizations, and community-based organizations and individuals, aimed at the elimination of domestic violence against women, inter alia, by raising awareness of its harmful effects, and in the provision of support services to women victims of violence;

3. *Strongly condemns* all forms of domestic violence against women and girls, and in this regard, calls for the elimination of all forms of gender-based violence in the family, including where condoned by the State;

4. *Expresses its concern*:

(*a*) That women continue to be victims of domestic violence and at the continuing occurrence in all regions of the world of domestic violence, which takes many different forms, and at failure to prosecute and punish the perpetrators;

(*b*) That domestic violence, including sexual violence in marriage, is still treated as a private matter in some countries;

5. *Stresses* that States have an obligation to exercise due diligence to prevent, investigate and punish the perpetrators of domestic violence against women and to provide protection to the victims, and also stresses that not to do so violates and impairs or nullifies the enjoyment of their human rights and fundamental freedoms;

6. *Reaffirms* the commitment of States to establish legislation and/or strengthen appropriate mechanisms to handle criminal matters relating to all forms of domestic violence, including marital rape and sexual abuse of women and girls, and to ensure that such cases are brought to justice swiftly;

7. *Calls upon* States:

(*a*) To adopt, strengthen and implement legislation that prohibits domestic violence, prescribes punitive measures and establishes adequate legal protection against domestic violence and periodically to review, evaluate and revise these laws and regulations so as to ensure their effectiveness in eliminating domestic violence;

(*b*) To make domestic sexual violence a criminal offence and to ensure proper investigation and prosecution of perpetrators;

(*c*) To adopt and/or strengthen policies and legislation in order to strengthen preventive measures, protect the human rights of victims, ensure proper investigation and prosecution of perpetrators and provide legal and social assistance to victims of domestic violence, and to adopt policies with regard to the rehabilitation of perpetrators;

(*d*) To intensify measures aimed at preventing domestic violence against women;

(*e*) To ensure greater protection for women, inter alia, by means of, where appropriate, orders restraining violent spouses from entering the family home, or by banning violent spouses from contacting the victim;

(*f*) To provide or facilitate the provision of adequate training, inter alia, gender-awareness training, to all professionals who deal with domestic violence, in particular with victims of domestic violence, police officers, judicial and legal personnel, health personnel, educators, youth workers and social workers;

(*g*) To provide or facilitate the provision of assistance to victims of domestic violence in lodging police reports and receiving treatment and support, which may include the setting up of one-stop centres, as well as the establishment of safe shelters and centres for victims of domestic violence;

(*h*) To protect women in the process of seeking redress from further victimization because of gender-insensitive laws or practices;

(*i*) To establish and/or strengthen police response protocols and procedures to ensure that all appropriate actions are taken to protect victims of domestic violence and to prevent further acts of domestic violence;

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[146] E/CN.4/2003/75 and Corr.1 and Add.1, Add.2 and Add.2/Corr.1, Add.3 and Add.4.

(*j*) To take measures to ensure the protection of women subjected to violence, access to just and effective remedies, inter alia, through compensation and indemnification and healing of victims, and the rehabilitation of perpetrators;

(*k*) To intensify efforts to raise collective and individual awareness about violence against women, including through human rights education, to highlight the role of men and boys in the prevention and elimination of domestic violence against women, and to encourage and support initiatives to promote attitudinal and behavioural change on the part of, and the rehabilitation of, perpetrators of violence against women;

(*l*) To encourage the efforts of the media to engage in awareness-raising campaigns;

(*m*) To take all measures to empower women and strengthen their economic independence, including through equal remuneration for equal work, and increased job opportunities for women, as well as equal access to and control over economic resources, including land, credit, microcredit and traditional saving schemes such as women's banks and cooperatives, and by ensuring property rights and the right to inheritance, with a view to reducing women's vulnerability to all forms of violence, including domestic violence;

(*n*) Not to invoke any custom, tradition or religious consideration to avoid their obligations to eliminate violence against women;

(*o*) To consider, as a matter of priority, becoming parties to the Convention on the Elimination of All Forms of Discrimination against Women;[139]

(*p*) That are parties to the Convention to include in their reports to the Committee on the Elimination of Discrimination against Women information on legal and policy measures adopted and implemented in their efforts to prevent and eliminate domestic violence against women and to cross-reference that information, where appropriate, in reports to other human rights treaty bodies;

(*q*) To cooperate closely with relevant specialized agencies and United Nations funds and programmes, as well as with regional intergovernmental organizations, as appropriate, and relevant community and non-governmental organizations, including women's organizations, in an effort to eliminate violence against women;

(*r*) To collect, update and improve the collection of data on violence against women, including through sex-disaggregated information systems, which should be made public and disseminated widely;

8. *Emphasizes* the need for technical and financial assistance to developing countries in their efforts to eliminate domestic violence against women from United Nations funds and programmes, international and regional financial institutions and bilateral and multilateral donors, and civil society, as well as the need for assistance from the international community to non-governmental organizations and community-based groups active in this field;

9. *Encourages* States to contribute or increase their contribution to the Trust Fund in Support of Actions to Eliminate Violence against Women managed by the United Nations Development Fund for Women;

10. *Invites*:

(*a*) Relevant specialized agencies, United Nations bodies, regional intergovernmental organizations and non-governmental organizations to exchange information on the subject of the present resolution, and encourages the exchange of such information between non-governmental organizations active in this field and the relevant human rights treaty bodies;

(*b*) The relevant human rights treaty bodies to continue to address this issue, where appropriate;

11. *Decides* to continue its consideration of this question at its sixtieth session under the item entitled "Advancement of women".

RESOLUTION 58/148

Adopted at the 77th plenary meeting, on 22 December 2003, without a vote, on the recommendation of the Committee (A/58/502, para. 10)[147]

58/148. Follow-up to the Fourth World Conference on Women and full implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session of the General Assembly

The General Assembly,

Recalling its previous resolutions on the question, including resolution 57/182 of 18 December 2002,

Recalling also the outcome of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century",[148] and the proposed actions and initiatives to overcome obstacles and challenges thereto,

Deeply convinced that the Beijing Declaration and Platform for Action[149] and the outcome of the twenty-third special session are important contributions to the advancement of women worldwide in the achievement of gender equality and must be translated into effective action by all States, the United Nations system and other organizations concerned, as well as by non-governmental organizations,

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[147] The draft resolution recommended in the report was introduced by the Chairman of the Committee.

[148] Resolution S-23/2, annex, and resolution S-23/3, annex.

[149] *Report of the Fourth World Conference on Women, Beijing, 4–15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

Stressing the importance of strong, sustained political will and commitment at the national, regional and international levels for achieving full and accelerated implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session,

Recognizing that the responsibility for the implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session rests primarily at the national level and that strengthened efforts are necessary in this respect, and reiterating that enhanced international cooperation is essential for the effective implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session,

Welcoming the increased attention to the situation of women and girls and the integration of a gender perspective in the work of the United Nations, in particular in the outcomes of major conferences, special sessions and summit conferences and their follow-up processes, and reaffirming its commitment to building on progress achieved in this respect,

Emphasizing the importance of Economic and Social Council decision 2003/287 of 24 July 2003, in which the Council decided to undertake, during the coordination segment of its substantive session of 2004, a review and appraisal of the system-wide implementation of agreed conclusions 1997/2 on mainstreaming a gender perspective into all policies and programmes in the United Nations system, adopted by the Council on 18 July 1997,[150] and taking note of Council resolution 2003/49 of 24 July 2003,

Reaffirming the primary and essential role of the General Assembly and the Economic and Social Council in promoting the advancement of women and gender equality, while noting the open debate on women and peace and security held in the Security Council on 28 and 29 October 2002[151] and on 29 October 2003,[152]

Bearing in mind its relevant resolutions and Security Council resolution 1325 (2000) of 31 October 2000,

1. *Reaffirms* the goals, objectives and commitments contained in the Beijing Declaration and Platform for Action[149] and also in the political declaration and further actions and initiatives to implement the Beijing Declaration and Platform for Action adopted by the General Assembly at its twenty-third special session;[148]

2. *Takes note with appreciation* of the report of the Secretary-General on the follow-up to and progress made in the implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session;[153]

3. *Calls upon* Governments, the relevant entities of the United Nations system, within their respective mandates, and all relevant actors of civil society, including non-governmental organizations, to continue to take effective action to achieve the full and effective implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session;

4. *Reaffirms* its decision that the General Assembly, the Economic and Social Council and the Commission on the Status of Women, in accordance with their respective mandates and with General Assembly resolutions 48/162 of 20 December 1993 and 57/270 B of 23 June 2003 and other relevant resolutions, constitute a three-tiered intergovernmental mechanism that plays the primary role in overall policy-making and follow-up and in coordinating the implementation and monitoring of the Beijing Platform for Action and the outcome of the twenty-third special session;

5. *Also reaffirms* that the follow-up to the Fourth World Conference on Women and the twenty-third special session will be undertaken within the framework of an integrated and coordinated follow-up to major international conferences and summits in the economic, social and related fields;

6. *Strongly encourages* Governments to continue to support the role and contribution of civil society, in particular non-governmental organizations and women's organizations, in the implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session;

7. *Calls upon* Governments and all other relevant actors to continue to integrate a gender perspective into the implementation of and follow-up to recent United Nations conferences, summits and special sessions and in future reports on this subject;

8. *Invites* States parties to the Convention on the Elimination of All Forms of Discrimination against Women[154] to include information on measures taken to implement the outcome of the twenty-third special session, as well as the Beijing Platform for Action, in their reports to the Committee on the Elimination of Discrimination against Women under article 18 of the Convention;

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[150] See *Official Records of the General Assembly, Fifty-second Session, Supplement No. 3* (A/52/3/Rev.1), chap. IV, para. 4.

[151] See S/PV.4635 and S/PV.4635 (Resumption 1).

[152] See S/PV.4852 and S/PV.4852 (Resumption 1).

[153] A/58/166.

[154] Resolution 34/180, annex.

9. *Urges* Member States to consider signing, ratifying or acceding to the United Nations Convention against Transnational Organized Crime and the Protocols thereto,[155] in particular the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, and welcomes the imminent entry into force of that Protocol on 25 December 2003;

10. *Invites* Member States to submit, before 30 April 2004, responses to the questionnaire of the Secretariat on the implementation of the Beijing Platform for Action and the outcome of the twenty-third special session, in preparation for the review and appraisal mandated in the multi-year programme of work of the Commission on the Status of Women;[156]

11. *Invites* the Economic and Social Council to continue its efforts to ensure that gender mainstreaming is an integral part of all activities in its work and that of its subsidiary bodies, building upon agreed conclusions 1997/2 adopted by the Council on 18 July 1997,[150] and in this regard welcomes the inclusion of the question of gender mainstreaming in its agenda, the consideration of annual progress made in gender mainstreaming and the attention given to the gender perspective in the outcomes of the substantive session of 2003 of the Council;

12. *Encourages* the Economic and Social Council to request the regional commissions, within their respective mandates and resources, to intensify efforts to build up a database, to be updated regularly, in which all programmes and projects carried out in their respective regions by organizations or bodies of the United Nations system are listed, and to facilitate the dissemination of information on such programmes and projects, as well as the evaluation of their impact on the empowerment of women through the implementation of the Beijing Platform for Action;

13. *Welcomes* the contribution of the Commission on the Status of Women to the follow-up and review of the future implementation of the commitments made in the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session, reaffirms that the Commission will continue to play a central role in this regard, and encourages Governments, the relevant specialized agencies, funds and programmes of the United Nations system and civil society to continue to support its work;

14. *Recognizes* the importance attached to the regional and subregional monitoring of the global and regional platforms for action and of the implementation of the outcome of the twenty-third special session by regional commissions and other regional or subregional structures, within their mandates, in consultation with Governments, and calls for the promotion of further cooperation in that respect among Governments and, where appropriate, national machineries of the same region;

15. *Also recognizes* that sustained political will and commitment at the national, regional and international levels are essential elements for the full and accelerated implementation of the Beijing Platform for Action and the outcome of the twenty-third special session;

16. *Emphasizes* that the promotion of gender equality and of women's empowerment and participation, together with the mainstreaming of a gender perspective, are among the essential elements for advancing the implementation of the United Nations Millennium Declaration,[157] with a view, in particular, to achieving the internationally agreed development goals, including those contained in the Millennium Declaration and the outcomes of United Nations summits, conferences and special sessions;

17. *Recognizes* that adequate mobilization of resources at the national and international levels, as well as new and additional resources for the developing countries, including the least developed countries and countries with economies in transition, from all available funding mechanisms, including multilateral, bilateral and private sources, will also be required;

18. *Emphasizes* that the creation of an enabling environment at the national and international levels, including by ensuring the participation of women on an equal basis with men at all levels of decision-making, is necessary to ensure the full participation of women in economic activities, and calls upon States to remove obstacles to the full implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session;

19. *Reaffirms* that, in order to ensure the effective implementation of the strategic objectives of the Beijing Platform for Action and the outcome of the twenty-third special session, the United Nations system should promote an active and visible policy of mainstreaming a gender perspective, including through the work of the Division for the Advancement of Women and the Office of the Special Adviser on Gender Issues and Advancement of Women and the maintenance of gender units and focal points;

20. *Also reaffirms* that United Nations bodies that focus on gender issues, such as the United Nations Population Fund, the United Nations Development Fund for Women, the International Research and Training Institute for the Advancement of Women and the United Nations Children's Fund, have a critical role to play in the implementation of the objectives of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session, and

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[155] Resolution 55/25, annexes I–III, and resolution 55/255, annex.

[156] See Economic and Social Council resolution 2001/4.

[157] See resolution 55/2.

recognizes that gender specialists throughout the United Nations system also have an important role to play in this regard;

21. *Recognizes* the important role of women in the prevention and resolution of conflicts and in peace-building, the importance of their equal participation and full involvement in all efforts for the maintenance and promotion of peace and security and the need to increase their role in decision-making with regard to conflict prevention and resolution, and urges the United Nations system and Governments to make further efforts in this regard and to take steps to ensure and support the full participation of women at all levels of decision-making and implementation in development activities and peace processes, including conflict prevention and resolution, post-conflict reconstruction, peacemaking, peacekeeping and peace-building, as well as through the integration of a gender perspective into those United Nations processes;

22. *Expresses its appreciation* for the efforts made by all relevant organizations of the United Nations system in promoting the role of women in conflict prevention and resolution;

23. *Welcomes* the convening of the World Summit on the Information Society in Geneva in 2003 and in Tunis in 2005, and encourages Governments and all other stakeholders to integrate a gender perspective into the preparatory processes and outcome documents, taking into account the agreed conclusions on women's participation in and access to the media, and information and communication technologies and their impact on and use as an instrument for the advancement and empowerment of women, adopted by the Commission on the Status of Women at its forty-seventh session,[158] and the report of the Secretary-General;[153]

24. *Also welcomes* the entry into force of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women,[159] and urges States parties to the Convention that have not yet done so to consider signing, ratifying or acceding to the Optional Protocol;

25. *Requests* all bodies that deal with programme and budgetary matters, including the Committee for Programme and Coordination, to ensure that all programmes, medium-term plans and programme budgets visibly mainstream a gender perspective;

26. *Requests* the Secretary-General to continue to disseminate the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session as widely as possible in all the official languages of the United Nations;

27. *Also requests* the Secretary-General to integrate a gender perspective in his reporting to the General Assembly, in order to support gender-sensitive policy formulation;

28. *Further requests* the Secretary-General to report annually to the General Assembly, the Economic and Social Council and the Commission on the Status of Women on the follow-up to and progress made in the implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session, with an assessment of progress made in mainstreaming a gender perspective within the United Nations system, including by providing information on key achievements, lessons learned and best practices, and to recommend further measures and strategies for future action within the United Nations system;

29. *Requests* the Secretary-General to include in his annual and quinquennial reports on the follow-up to the United Nations Millennium Declaration an assessment of the progress made in promoting the goal of gender equality, in particular in relation to the development goals set forth in the Millennium Declaration, and recommendations to improve the measurement and coverage of indicators so that progress towards gender equality can be evaluated over time;

30. *Also requests* the Secretary-General to ensure that all United Nations personnel and officials at Headquarters and in the field, especially in field operations, receive training on mainstreaming a gender perspective in their work, including gender impact analysis, and to ensure appropriate follow-up to such training;

31. *Further requests* the Secretary-General to provide, by the end of 2004, a compilation of updated and substantiated statistics from Member States and other relevant sources on the situation of women and girls, including older women, in countries around the world, including by issuing a new volume of *The World's Women: Trends and Statistics*;

32. *Recognizes* the need to further include a gender perspective in the work of its Main Committees;

33. *Recalls*, in this regard, its request to each functional commission of the Economic and Social Council to examine its methods of work in order to better pursue the implementation of the outcomes of major United Nations conferences and summits, recognizing that there is no need for a uniform approach since each functional commission has its own specificity, while noting that modern methods of work can better guarantee the review of progress made in implementation at all levels, on the basis of a report containing recommendations to be submitted by the Secretary-General to each functional commission and relevant subsidiary body of the Economic and Social Council on its methods of work, in accordance with the provisions defined by the respective outcomes and relevant decisions taken by each body, bearing in mind the progress recently achieved in this regard by certain commissions, in particular the Commission on Sustainable Development, and

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[158] See *Official Records of the Economic and Social Council, 2003, Supplement No. 7* (E/2003/27), chap. I, sect. A; see also Economic and Social Council resolution 2003/44.

[159] Resolution 54/4, annex.

recalling that the functional commissions and other relevant bodies of the Economic and Social Council should report to it no later than 2005 on the outcome of this examination;

34. *Decides* to include in the provisional agenda of its fifty-ninth session the item entitled "Implementation of the outcome of the Fourth World Conference on Women and of the twenty-third special session of the General Assembly, entitled 'Women 2000: gender equality, development and peace for the twenty-first century' ".

RESOLUTION 58/149

Adopted at the 77th plenary meeting, on 22 December 2003, without a vote, on the recommendation of the Committee (A/58/503, para. 34)[160]

58/149. Assistance to refugees, returnees and displaced persons in Africa

The General Assembly,

Recalling its resolution 57/183 of 18 December 2002,

Recalling also the provisions of its resolution 2312 (XXII) of 14 December 1967, by which it adopted the Declaration on Territorial Asylum,

Recalling further the Organization of African Unity Convention governing the specific aspects of refugee problems in Africa of 1969[161] and the African Charter on Human and Peoples' Rights,[162]

Recalling the Khartoum Declaration[163] and the Recommendations on Refugees, Returnees and Internally Displaced Persons in Africa[164] adopted by the Organization of African Unity[165] at the ministerial meeting held at Khartoum on 13 and 14 December 1998,

Welcoming decision EX/CL/Dec.46 (III) on the situation of refugees, returnees and displaced persons in Africa adopted by the Executive Council of the African Union at its third ordinary session, held at Maputo from 4 to 8 July 2003,[166]

Welcoming also decision AHG/Dec.165 (XXXVII) on the fiftieth anniversary of the adoption of the 1951 Convention relating to the Status of Refugees, adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its thirty-seventh ordinary session, held at Lusaka from 9 to 11 July 2001,[167]

Recalling its resolution 57/2 of 16 September 2002 on the United Nations Declaration on the New Partnership for Africa's Development, and affirming that international support for the implementation of the New Partnership for Africa's Development[168] is essential, notably as it relates to refugees, returnees and displaced persons,

Reaffirming that the 1951 Convention relating to the Status of Refugees,[169] together with the 1967 Protocol thereto,[170] as complemented by the Organization of African Unity Convention of 1969, remains the foundation of the international refugee protection regime in Africa,

Recognizing that the fundamental principles and rights embodied in those conventions have provided a resilient protection regime within which millions of refugees have been able to find safety from armed conflicts and persecution,

Welcoming in that regard the Declaration adopted at the Ministerial Meeting of States Parties to the 1951 Convention and/or its 1967 Protocol relating to the Status of Refugees, held at Geneva on 12 and 13 December 2001,[171] as an expression of their collective commitment to full and effective implementation of the Convention and the Protocol,

Recalling the Comprehensive Implementation Plan adopted by the Special Meeting of Governmental and Non-Governmental Technical Experts convened by the Organization of African Unity and the Office of the United Nations High Commissioner for Refugees at Conakry from 27 to 29 March 2000 on the occasion of the thirtieth anniversary of the adoption of the Organization of African Unity Convention governing the specific aspects of refugee problems in Africa of 1969, and noting its endorsement by the Council of Ministers of the Organization of African Unity at its seventy-second ordinary session, held at Lomé from 6 to 8 July 2000,[172]

Commending the convening of the first African Union Ministerial Conference on Human Rights in Africa at Kigali on 8 May 2003, and recalling the attention paid to issues relevant to refugees and displaced persons in the Kigali Declaration[173] adopted by the Conference,

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[160] The draft resolution recommended in the report was sponsored in the Committee by: Belgium, Croatia, Cyprus, Czech Republic, Denmark, Finland, France, Ireland, Italy, Japan, Lithuania, Luxembourg, Malta, Norway, Portugal, Spain, Sudan (on behalf of the States Members of the United Nations that are members of the Group of African States), Sweden, the former Yugoslav Republic of Macedonia and United Kingdom of Great Britain and Northern Ireland.

[161] United Nations, *Treaty Series*, vol. 1001, No. 14691.

[162] Ibid., vol. 1520, No. 26363.

[163] A/54/682, annex I.

[164] Ibid., annex II.

[165] On 8 July 2002, the Organization of African Unity ceased to exist and, in its place, the African Union came into force on 9 July 2002.

[166] See A/58/626, annex II.

[167] See A/56/457, annex I.

[168] A/57/304, annex.

[169] United Nations, *Treaty Series*, vol. 189, No. 2545.

[170] Ibid., vol. 606, No. 8791.

[171] HCR/MMSP/2001/10, annex I.

[172] See A/55/286, annex I, decision CM/Dec.531 (LXXII), para. 8.

Recognizing the contributions made by African States to the development of regional standards for the protection of refugees and returnees, and noting with appreciation that countries of asylum are hosting refugees in a humanitarian spirit and in a spirit of African solidarity and brotherhood,

Recognizing also the need for States to address resolutely the root causes of forced displacement and to create conditions that facilitate durable solutions for refugees and displaced persons, and stressing in that regard the need for States to foster peace, stability and prosperity throughout the African continent to forestall large refugee flows,

Convinced of the need to strengthen the capacity of States to provide assistance to and protection for refugees, returnees and displaced persons and of the need for the international community, within the context of burden-sharing, to increase its material, financial and technical assistance to the countries affected by refugees, returnees and displaced persons, to simultaneously address the inadequacies of existing assistance arrangements and to support initiatives in this regard,

Acknowledging with appreciation that some assistance is already rendered by the international community to refugees, returnees and displaced persons and host countries in Africa,

Noting the "Convention Plus" initiative of the United Nations High Commissioner for Refugees, which is aimed at strengthening the international protection regime through the development of comprehensive approaches to resolving refugee situations, including improving international burden- and responsibility-sharing and realizing durable solutions,

Deeply concerned about the continuing critical humanitarian situation in African countries, in particular in the Horn of Africa and southern Africa, aggravated, among other things, by persistent natural disasters, including drought, floods and desertification, which can precipitate the displacement of people,

Noting with great concern that, despite all the efforts made so far by the United Nations, the African Union and others, the situation of refugees and displaced persons in Africa remains precarious,

Stressing that the provision of relief and assistance to African refugees by the international community should be on an equitable and non-discriminatory basis,

Considering that, among refugees, returnees and internally displaced persons, women and children are the majority of the population affected by conflict and bear the brunt of atrocities and other consequences of conflict,

1. *Takes note* of the reports of the Secretary-General[174] and the United Nations High Commissioner for Refugees;[175]

2. *Notes with concern* that the deteriorating socio-economic situation, compounded by political instability, internal strife, human rights violations and natural disasters, has led to increased numbers of refugees and displaced persons in some countries of Africa, and remains particularly concerned about the impact of large-scale refugee populations on the security, socio-economic situation and environment of countries of asylum;

3. *Encourages* African States to ensure the full implementation of and follow-up to the Comprehensive Implementation Plan adopted by the Special Meeting of Governmental and Non-Governmental Technical Experts convened by the Organization of African Unity and the Office of the United Nations High Commissioner for Refugees at Conakry from 27 to 29 March 2000 on the occasion of the thirtieth anniversary of the adoption of the Organization of African Unity Convention governing the specific aspects of refugee problems in Africa of 1969;[161]

4. *Calls upon* States and other parties to armed conflict to observe scrupulously the letter and the spirit of international humanitarian law, bearing in mind that armed conflict is one of the principal causes of forced displacement in Africa;

5. *Expresses its appreciation* for the leadership shown by the United Nations High Commissioner for Refugees since assuming office in January 2001, and commends the Office of the High Commissioner for its ongoing efforts, with the support of the international community, to assist African countries of asylum and to respond to the protection and assistance needs of refugees, returnees and displaced persons in Africa;

6. *Reaffirms* that international protection and the search for durable solutions for refugees and, as appropriate, other persons of concern to the Office of the High Commissioner, which were examined, inter alia, in the Global Consultations on International Protection process and are reflected in the Agenda for Protection,[176] are at the core of the mandate of the Office;

7. *Welcomes* the efforts of the Office of the High Commissioner to strengthen its linkages with the other parts of the United Nations system in order to enhance refugee protection and to identify and implement durable solutions for refugees and other persons of concern to the Office, and appreciates the efforts of the Office to strengthen partnerships with operational and implementing partners;

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[173] See MIN/CONF/HRA/Decl.1 (I).

[174] A/58/353.

[175] *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 12* (A/58/12).

[176] Ibid., *Fifty-seventh Session, Supplement No. 12A* (A/57/12/Add.1), annex IV.

8. *Takes note* of the Ministerial Meeting of States Parties to the 1951 Convention and/or its 1967 Protocol relating to the Status of Refugees as an expression of their collective commitment to full and effective implementation of the Convention[169] and the Protocol;[170]

9. *Reaffirms* that the 1951 Convention and the 1967 Protocol relating to the Status of Refugees, as complemented by the Organization of African Unity Convention of 1969, remain the foundation of the international refugee protection regime in Africa, encourages African States that have not yet done so to accede to those instruments, and calls upon States parties to the Conventions to reaffirm their commitment to their ideals and to respect and observe their provisions;

10. *Notes* the need for States to address the root causes of forced displacement in Africa, and calls upon African States, the international community and relevant United Nations organizations to take concrete action to meet the needs of refugees, returnees and displaced persons for protection and assistance and to contribute generously to national projects and programmes aimed at alleviating their plight;

11. *Also notes* the link, inter alia, between human rights violations, poverty, natural disasters and environmental degradation and population displacement, and calls for redoubled and concerted efforts by States, in collaboration with the African Union, to promote and protect human rights for all and to address those problems;

12. *Encourages* the Office of the United Nations High Commissioner for Refugees to continue to cooperate with the Office of the United Nations High Commissioner for Human Rights and the African Commission on Human and Peoples' Rights, within their respective mandates, in the promotion and protection of the human rights and fundamental freedoms of refugees, returnees and displaced persons in Africa, and welcomes in this regard the signing of the memorandum of understanding between the African Commission on Human and Peoples' Rights and the Office of the United Nations High Commissioner for Refugees on 26 May 2003;

13. *Notes with appreciation* the ongoing mediation and conflict resolution efforts carried out by African States, the African Union and subregional organizations, as well as the establishment of regional mechanisms for conflict prevention and resolution, and urges all relevant parties to address the humanitarian consequences of conflicts;

14. *Expresses its appreciation and strong support* for those African Governments and local populations that, in spite of the general deterioration of socio-economic and environmental conditions and overstretched national resources, continue to accept the additional burden imposed upon them by increasing numbers of refugees and displaced persons, in compliance with the relevant principles of asylum;

15. *Welcomes* the decision of African heads of State and Government to address the situation of refugees, returnees and displaced persons in Africa within the context of the New Partnership for Africa's Development;[168]

16. *Expresses its concern* about instances in which the fundamental principles of asylum are jeopardized by unlawful expulsion or refoulement or by threats to the life, physical security, integrity, dignity and well-being of refugees;

17. *Reaffirms* that host States have the primary responsibility to ensure the civilian and humanitarian character of asylum, and calls upon States, in cooperation with international organizations, within their mandates, to take all necessary measures to ensure respect for the principles of refugee protection and, in particular, to ensure that the civilian and humanitarian nature of refugee camps is not compromised by the presence or the activities of armed elements or used for purposes that are incompatible with their civilian character;

18. *Deplores* the deaths, injuries and other forms of violence sustained by staff members of the Office of the High Commissioner, urges States, parties to conflict and all other relevant actors to take all necessary measures to protect activities related to humanitarian assistance, prevent attacks on and kidnapping of national and international humanitarian workers and ensure their safety and security, calls upon States to investigate fully any crime committed against humanitarian personnel and to bring to justice persons responsible for such crimes, and calls upon organizations and aid workers to abide by the national laws and regulations of the countries in which they operate;

19. *Condemns* any exploitation of refugees, especially their sexual abuse and exploitation, calls for those responsible for such deplorable acts to be brought to justice, welcomes in this regard the conclusion on protection from sexual abuse and exploitation adopted by the Executive Committee of the Programme of the United Nations High Commissioner for Refugees at its fifty-fourth session,[177] and notes with deep concern that inadequate protection and/or inappropriate assistance, particularly concerning the quantity and quality of food and other material assistance, increases the vulnerability of refugees and asylum-seekers to sexual abuse and exploitation;

20. *Welcomes* the decision of the Office of the High Commissioner to put in place a code of conduct for humanitarian personnel aimed at preventing the exploitation of refugees, especially in the area of sexual exploitation;

21. *Calls upon* the Office of the High Commissioner, the African Union, subregional organizations and all African States, in conjunction with agencies of the United Nations system, intergovernmental and non-governmental organizations and the international community, to strengthen and revitalize

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[177] Ibid., *Fifty-eighth Session, Supplement No. 12A* (A/58/12/Add.1), chap. III, sect. E.

existing partnerships and forge new ones in support of the international refugee protection system;

22. *Calls upon* the Office of the High Commissioner, the international community and other concerned entities to intensify their support to African Governments through appropriate capacity-building activities, including training of relevant officers, disseminating information about refugee instruments and principles, providing financial, technical and advisory services to accelerate the enactment or amendment and implementation of legislation relating to refugees, strengthening emergency response and enhancing capacities for the coordination of humanitarian activities;

23. *Reaffirms* the right of return and the principle of voluntary repatriation, appeals to countries of origin and countries of asylum to create conditions that are conducive to voluntary repatriation, and recognizes that, while voluntary repatriation remains the pre-eminent solution, local integration and third-country resettlement, where appropriate and feasible, are also viable options for dealing with the situation of African refugees who, owing to prevailing circumstances in their respective countries of origin, are unable to return home;

24. *Notes with satisfaction* the voluntary return of millions of refugees to their homelands following the successful repatriation and reintegration operations carried out by the Office of the High Commissioner with the cooperation and collaboration of countries hosting refugees and countries of origin, and welcomes the efforts under way, in cooperation with other United Nations agencies and development actors, to promote a framework for durable solutions, particularly in protracted refugee situations, including the "4Rs" approach (repatriation, reintegration, rehabilitation and reconstruction) to sustainable return;

25. *Appeals* to the international community to respond positively, in the spirit of solidarity and burden-sharing, to the third-country resettlement requests of African refugees, and notes with appreciation that some African countries have offered resettlement places for refugees;

26. *Calls upon* the international donor community to provide financial and material assistance that allows for the implementation of community-based development programmes that benefit both refugees and host communities, as appropriate, in agreement with host countries and consistent with humanitarian objectives;

27. *Welcomes* the programmes carried out by the Office of the High Commissioner with host Governments, the United Nations, non-governmental organizations and the international community to address the environmental and socio-economic impact of refugee populations;

28. *Calls upon* the international donor community to provide material and financial assistance for the implementation of programmes intended for the rehabilitation of the environment and infrastructure affected by refugees in countries of asylum;

29. *Expresses its concern* about the long stay of refugees in certain African countries, and calls upon the Office of the High Commissioner to keep its programmes under review, in conformity with its mandate in the host countries, taking into account the increasing needs of refugees;

30. *Notes* the conclusion adopted by the Executive Committee of the Programme of the United Nations High Commissioner for Refugees at its fifty-fourth session on the importance of early and effective registration systems and censuses as a tool of protection and as a means to enable the quantification and assessment of needs for the provision and distribution of humanitarian assistance and to implement appropriate durable solutions;[178]

31. *Emphasizes* the need for the Office of the High Commissioner to collate statistics, on a regular basis, on the number of refugees living outside refugee camps in certain African countries with a view to evaluating and addressing the needs of those refugees;

32. *Urges* the international community, in a spirit of international solidarity and burden-sharing, to continue to fund generously the refugee programmes of the Office of the High Commissioner and, taking into account the substantially increased needs of programmes in Africa, to ensure that Africa receives a fair and equitable share of the resources designated for refugees;

33. *Requests* all Governments and intergovernmental and non-governmental organizations to pay particular attention to meeting the special needs of refugee women and children and displaced persons, including those with special protection needs;

34. *Calls upon* States and the Office of the High Commissioner to make renewed efforts to ensure that the rights, needs and dignity of elderly refugees are fully respected and addressed through appropriate programme activities;

35. *Expresses grave concern* about the plight of internally displaced persons in Africa, calls upon States to take concrete action to pre-empt internal displacement and to meet the protection and assistance needs of internally displaced persons, recalls in that regard the Guiding Principles on Internal Displacement,[179] and urges the international community, led by relevant United Nations organizations, to contribute generously to national projects and programmes aimed at alleviating the plight of internally displaced persons;

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[178] Ibid., sect. B.

[179] E/CN.4/1998/53/Add.2, annex.

36. *Invites* the Representative of the Secretary-General on internally displaced persons to continue his ongoing dialogue with Member States and the intergovernmental and non-governmental organizations concerned, in accordance with his mandate, and to include information thereon in his reports to the Commission on Human Rights and the General Assembly;

37. *Requests* the Secretary-General to submit a comprehensive report on assistance to refugees, returnees and displaced persons in Africa to the General Assembly at its fifty-ninth session, taking fully into account the efforts expended by countries of asylum, under the item entitled "Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions", and to present an oral report to the Economic and Social Council at its substantive session of 2004.

RESOLUTION 58/150

Adopted at the 77th plenary meeting, on 22 December 2003, without a vote, on the recommendation of the Committee (A/58/503, para. 34)[180]

58/150. Assistance to unaccompanied refugee minors

The General Assembly,

Recalling its resolutions 49/172 of 23 December 1994, 50/150 of 21 December 1995, 51/73 of 12 December 1996, 52/105 of 12 December 1997, 53/122 of 9 December 1998, 54/145 of 17 December 1999 and 56/136 of 19 December 2001,

Aware of the fact that the majority of refugees are children and women,

Bearing in mind that unaccompanied refugee minors are among the most vulnerable refugees and the most at risk of neglect, violence, forced military recruitment, sexual assault, abuse and vulnerability to infectious disease, such as human immunodeficiency virus/acquired immunodeficiency syndrome, malaria and tuberculosis, and therefore require special assistance and care,

Mindful of the fact that the ultimate solution to the plight of unaccompanied minors is their return to and reunification with their families,

Bearing in mind that the most important steps in working with unaccompanied minors are rapid identification, immediate registration and documentation and tracing of family,

Recalling the outcome document entitled "A world fit for children", adopted on 10 May 2002 by the General Assembly at its twenty-seventh special session,[181]

Noting with appreciation the efforts of the Office of the United Nations High Commissioner for Refugees and the United Nations Children's Fund in the identification and tracing of unaccompanied minors, and welcoming their efforts in reunifying families of refugees,

Welcoming the efforts exerted by the United Nations High Commissioner for Refugees to reunite refugees with their families,

Noting the efforts of the High Commissioner to ensure the protection of and assistance to refugees, including children and unaccompanied minors, and that further enhanced efforts need to be exerted to this effect,

Recalling the provisions of the Convention on the Rights of the Child,[182] and the 1951 Convention[183] and the 1967 Protocol thereto[184] relating to the Status of Refugees,

1. *Takes note* of the report of the Secretary-General;[185]

2. *Expresses its deep concern* at the continuing plight of unaccompanied refugee minors, and emphasizes once again the urgent need for their early identification and for timely, detailed and accurate information on their number and whereabouts;

3. *Stresses* the importance of providing adequate resources for programmes of identification, registration, documentation and tracing of unaccompanied minors and their reunification with their families;

4. *Calls upon* the Office of the United Nations High Commissioner for Refugees, in cooperation with other relevant United Nations bodies, to incorporate into its programmes policies that aim at preventing the separation of refugee families, conscious of the importance of family unity;

5. *Calls upon* all Governments, the Secretary-General, the Office of the High Commissioner, all United Nations organizations, as well as other international organizations and non-governmental organizations concerned to exert the maximum effort to assist and protect refugee minors and to

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[180] The draft resolution recommended in the report was sponsored in the Committee by: Afghanistan, Angola, Azerbaijan, Bangladesh, Benin, Botswana, Burkina Faso, Burundi, Cameroon, Côte d'Ivoire, Democratic Republic of the Congo, Ethiopia, Iran (Islamic Republic of), Kenya, Lesotho, Madagascar, Malawi, Morocco, Mozambique, Namibia, Niger, Nigeria, Pakistan, Panama, Qatar, Rwanda, Saint Vincent and the Grenadines, Senegal, Sierra Leone, Somalia, Sudan, Swaziland, Turkey, United Republic of Tanzania, Yemen, Zambia and Zimbabwe.

[181] Resolution S-27/2, annex.

[182] Resolution 44/25, annex.

[183] United Nations, *Treaty Series*, vol. 189, No. 2545.

[184] Ibid., vol. 606, No. 8791.

[185] A/58/299.

expedite the return and reunification with their families of unaccompanied refugee minors;

6. *Urges* the Office of the High Commissioner, all United Nations organizations, as well as other international organizations and non-governmental organizations concerned to take appropriate steps to mobilize resources commensurate with the needs of unaccompanied refugee minors and for their reunification with their families;

7. *Calls upon* all States and other parties to armed conflict to comply with their obligations under international humanitarian law, human rights law and refugee law and, in this regard, calls upon States parties to respect fully the provisions of the Geneva Conventions of 12 August 1949[186] and related instruments, and to respect the provisions of the Convention on the Rights of the Child,[182] which accord children affected by armed conflict special protection and treatment;

8. *Condemns* all acts of exploitation of unaccompanied refugee minors, including their use as soldiers or human shields in armed conflict and their forced recruitment into military forces, and any other acts that endanger their safety and personal security;

9. *Acknowledges* that education is among the most effective initial means of ensuring protection for unaccompanied minors, especially girls, by shielding them from exploitative activities such as child labour, military recruitment or sexual exploitation and abuse;

10. *Calls upon* the Secretary-General, the United Nations High Commissioner for Refugees, the Office for the Coordination of Humanitarian Affairs of the Secretariat, the United Nations Children's Fund, other United Nations organizations and other international organizations to mobilize adequate assistance to unaccompanied refugee minors in the areas of relief, education, recreational activities, health and psychological rehabilitation;

11. *Encourages* the Special Representative of the Secretary-General for Children and Armed Conflict in his efforts to raise awareness worldwide and mobilize official and public opinion for the protection of children affected by armed conflict, including refugee minors;

12. *Requests* the Secretary-General to report to the General Assembly at its sixtieth session on the implementation of the present resolution and to give special attention in his report to the girl-child refugee.

RESOLUTION 58/151

Adopted at the 77th plenary meeting, on 22 December 2003, without a vote, on the recommendation of the Committee (A/58/503, para. 34)[187]

58/151. Office of the United Nations High Commissioner for Refugees

The General Assembly,

Having considered the report of the United Nations High Commissioner for Refugees on the activities of his Office[188] and the report of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees on the work of its fifty-fourth session[189] and the conclusions and decisions contained therein,

Recalling its previous annual resolutions on the work of the Office of the United Nations High Commissioner for Refugees since its establishment by the General Assembly,

Expressing its appreciation for the leadership shown by the High Commissioner, commending the staff and implementing partners of the Office of the High Commissioner for the competent, courageous and dedicated manner in which they discharge their responsibilities, and underscoring its strong condemnation of all forms of violence to which humanitarian personnel and United Nations and associated personnel are increasingly exposed,

1. *Endorses* the report of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees on the work of its fifty-fourth session;[189]

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[186] United Nations, *Treaty Series*, vol. 75, Nos. 970–973.

[187] The draft resolution recommended in the report was sponsored in the Committee by: Afghanistan, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Belarus, Belgium, Belize, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burkina Faso, Burundi, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Finland, France, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea-Bissau, Haiti, Hungary, Iceland, Ireland, Italy, Japan, Kazakhstan, Kenya, Kyrgyzstan, Latvia, Lesotho, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Namibia, Nauru, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Panama, Paraguay, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Vincent and the Grenadines, Samoa, Senegal, Serbia and Montenegro, Sierra Leone, Slovakia, Slovenia, Somalia, South Africa, Spain, Sudan, Swaziland, Sweden, Switzerland, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tunisia, Turkey, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Zambia and Zimbabwe.

[188] *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 12* (A/58/12).

[189] Ibid., *Supplement No. 12A* (A/58/12/Add.1).

2. *Welcomes* the important work undertaken by the Office of the United Nations High Commissioner for Refugees and its Executive Committee in the course of the year, and notes in this context the conclusions adopted on international protection, on the return of persons found not to be in need of international protection, on protection safeguards in interception measures, and on protection from sexual abuse and exploitation,[190] which are aimed at strengthening the international protection regime, consistent with the Agenda for Protection[191] resulting from the Global Consultations on International Protection, and at assisting Governments in meeting their protection responsibilities in today's changing international environment;

3. *Reaffirms* the 1951 Convention relating to the Status of Refugees[192] and its 1967 Protocol[193] as the foundation of the international refugee protection regime, and recognizes the importance of their full and effective application by States parties and the values they embody, notes with satisfaction that one hundred and forty-five States are now parties to one instrument or to both, encourages States not parties to consider acceding to those instruments, underlines in particular the importance of full respect for the principle of non-refoulement, and recognizes that a number of States not parties to the international refugee instruments have shown a generous approach to hosting refugees;

4. *Notes* that fifty-five States are now parties to the 1954 Convention relating to the Status of Stateless Persons[194] and that twenty-seven States are parties to the 1961 Convention on the Reduction of Statelessness,[195] and encourages the High Commissioner to continue his activities on behalf of stateless persons;

5. *Re-emphasizes* that the protection of refugees is primarily the responsibility of States, whose full and effective cooperation, action and political resolve are required to enable the Office of the High Commissioner to fulfil its mandated functions;

6. *Emphasizes* that international protection is a dynamic and action-oriented function that is at the core of the mandate of the Office of the High Commissioner and which includes, in cooperation with States and other partners, the promotion and facilitation of, inter alia, the admission, reception and treatment of refugees and the ensuring of durable, protection-oriented solutions, bearing in mind the particular needs of vulnerable groups, and notes in this context that the delivery of international protection is a staff-intensive service that requires adequate staff with the appropriate expertise, especially at the field level;

7. *Welcomes* the High Commissioner's "Convention Plus" initiative,[196] and encourages the High Commissioner and those States that have offered to facilitate Convention Plus agreements to strengthen the international protection regime through the development of comprehensive approaches to resolving refugee situations, including improving international burden- and responsibility-sharing and realizing durable solutions;

8. *Recalls* the important role of effective partnerships and coordination in meeting the needs of refugees and other displaced persons and in finding durable solutions to their situations, and welcomes the efforts under way, in cooperation with other United Nations agencies and development actors, to promote a framework for durable solutions, particularly in protracted refugee situations, including the "4Rs" approach (repatriation, reintegration, rehabilitation and reconstruction) to sustainable return;

9. *Urges* all States and relevant non-governmental and other organizations, in conjunction with the Office of the High Commissioner, in a spirit of international solidarity and burden- and responsibility-sharing, to cooperate and to mobilize resources with a view to enhancing the capacity of, and reducing the heavy burden borne by, countries that have received large numbers of refugees and asylum-seekers, and calls upon the Office to continue to play its catalytic role in mobilizing assistance from the international community to address the root causes as well as the economic, environmental and social impact of large-scale refugee populations in developing countries, particularly least developed countries, and countries with economies in transition;

10. *Strongly reaffirms* the fundamental importance and the purely humanitarian and non-political character of the function of the Office of the High Commissioner of providing international protection to refugees and seeking permanent solutions to refugee problems, and recalls that these solutions include voluntary repatriation and, where appropriate and feasible, local integration and resettlement in a third country, while reaffirming that voluntary repatriation, supported by necessary rehabilitation and development assistance to facilitate sustainable reintegration, remains the preferred solution;

11. *Emphasizes* the obligation of all States to accept the return of their nationals, calls upon States to facilitate the return of their nationals who have been determined not to be in need of international protection, and affirms the need for the return of

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[190] Ibid., chap. III, sects. B–E.

[191] Ibid., *Fifty-seventh Session, Supplement No. 12A* (A/57/12/Add.1), annex IV.

[192] United Nations, *Treaty Series*, vol. 189, No. 2545.

[193] Ibid., vol. 606, No. 8791.

[194] Ibid., vol. 360, No. 5158.

[195] Ibid., vol. 989, No. 14458.

[196] See *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 12* (A/58/12), para. 24.

persons to be undertaken in a safe and humane manner and with full respect for their human rights and dignity, irrespective of the status of the persons concerned;

12. *Encourages* the Office of the High Commissioner to continue to improve its management systems and to ensure effective and transparent use of its resources, recognizes that adequate and timely resources are essential for the Office to continue to fulfil the mandate conferred upon it through its statute[197] and by subsequent General Assembly resolutions concerning refugees and other persons of concern, and urges Governments and other donors to respond promptly to annual and supplementary appeals issued by the Office for requirements under its programmes;

13. *Requests* the High Commissioner to report on his activities to the General Assembly at its fifty-ninth session.

RESOLUTION 58/152

Adopted at the 77th plenary meeting, on 22 December 2003, without a vote, on the recommendation of the Committee (A/58/503, para. 34)[198]

58/152. Enlargement of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees

The General Assembly,

Taking note of Economic and Social Council decisions 2003/285 and 2003/286 of 24 July 2003 concerning the enlargement of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees,

Taking note also of the requests regarding the enlargement of the Executive Committee contained in the letter dated 23 September 2002 from the Permanent Representative of Egypt to the United Nations addressed to the Secretary-General[199] and the note verbale dated 25 April 2003 from the Permanent Mission of Zambia to the United Nations Office at Geneva addressed to the Secretary-General,[200]

1. *Decides* to increase the number of members of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees from sixty-four to sixty-six States;

2. *Requests* the Economic and Social Council to elect the additional members at its resumed organizational session for 2004.

RESOLUTION 58/153

Adopted at the 77th plenary meeting, on 22 December 2003, without a vote, on the recommendation of the Committee (A/58/503, para. 34)[201]

58/153. Implementing actions proposed by the United Nations High Commissioner for Refugees to strengthen the capacity of his Office to carry out its mandate

The General Assembly,

Recalling its resolution 428 (V) of 14 December 1950, the annex to which contains the statute of the Office of the United Nations High Commissioner for Refugees, and its resolution 57/186 of 18 December 2002 on the continuation of the Office of the High Commissioner,

Appreciating the concerted efforts of the High Commissioner in undertaking consultations with the Secretary-General, the members of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees and observers of its Standing Committee, through the process known as "UNHCR 2004", on how the Office of the High Commissioner could be better equipped to carry out its mandate in the changing context of the global situation, and noting that this is in support and in the context of the goals, objectives and commitments contained in the United Nations Millennium Declaration,[202] as well as the efforts of the Secretary-General to strengthen the United Nations system,

1. *Welcomes* the report of the United Nations High Commissioner for Refugees on strengthening the capacity of the Office of the United Nations High Commissioner for Refugees to carry out its mandate,[203] as called for in resolution 57/186;

2. *Reaffirms* that international protection and the search for durable solutions for refugees and, as applicable, other persons of concern to the Office of the High Commissioner, which were examined, inter alia, in the Global Consultations on

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[197] Resolution 428 (V), annex.

[198] The draft resolution recommended in the report was sponsored in the Committee by: Cameroon, Egypt, Ethiopia, Kenya, Niger, Nigeria, Sierra Leone, Somalia, Sudan, Zambia and Zimbabwe.

[199] E/2003/3.

[200] E/2003/77.

[201] The draft resolution recommended in the report was sponsored in the Committee by: Afghanistan, Andorra, Argentina, Armenia, Australia, Austria, Azerbaijan, Belgium, Bosnia and Herzegovina, Botswana, Bulgaria, Burkina Faso, Cameroon, Canada, Chile, Colombia, Congo, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Dominican Republic, Eritrea, Ethiopia, Finland, France, Germany, Ghana, Greece, Hungary, Iceland, Ireland, Italy, Japan, Jordan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Morocco, Namibia, Netherlands, New Zealand, Niger, Nigeria, Norway, Panama, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Serbia and Montenegro, Sierra Leone, Slovakia, Slovenia, South Africa, Spain, Swaziland, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tunisia, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America and Zambia.

[202] See resolution 55/2.

[203] See A/58/410.

International Protection process and are reflected in the Agenda for Protection,[204] are the core of the mandate of the Office;

3. *Welcomes* the efforts of the Office of the High Commissioner to strengthen its linkages with the other parts of the United Nations system in order to enhance refugee protection and to identify and implement durable solutions for refugees and other persons of concern to the Office, and appreciates its efforts to strengthen partnerships with operational and implementing partners;

4. *Welcomes* the admission of the Office to the United Nations Development Group, and invites the Development Group to include, through the resident coordinator system and in full consultation with the Government concerned, consideration of the needs of refugees and, as applicable, other persons of concern to the Office of the High Commissioner in the common country assessment process and the subsequent formulation and implementation of their development programmes;

5. *Notes* the importance of the support of the Office of the High Commissioner, within its mandate, to the efforts of the Emergency Relief Coordinator to promote predictable and timely United Nations strategies that, inter alia, integrate durable solutions for refugees with those for internally displaced persons;

6. *Highlights* the importance of joint efforts of the Department of Political Affairs and the Department of Peacekeeping Operations of the Secretariat, together with those of the Office of the High Commissioner, which contribute to durable solutions for refugees in conflict and post-conflict situations, encourages the Office to play a more active role, including by sharing information with relevant United Nations forums, and stresses that all of these activities should be undertaken in a manner consistent with the mandate of the Office;

7. *Recalls* paragraph 20 of the statute of the Office of the High Commissioner, and calls for its application;

8. *Reaffirms* the continued voluntary nature of the funding of the Office of the High Commissioner in accordance with its statute, while recognizing the importance of contributions made by countries hosting refugees, especially developing countries, notes the need for more equitable international responsibility and burden-sharing and expresses concern over the recurring shortfall in the funding of the Office, requests that States, within their capacities, contribute to the full funding of the budget level approved by the Executive Committee, and encourages the Office to continue its efforts to expand its donor base and to diversify funding sources, including through the private sector;

9. *Decides* to remove the temporal limitation on the continuation of the Office of the High Commissioner contained in its resolution 57/186 and to continue the Office until the refugee problem is solved;

10. *Decides also* that the High Commissioner shall make an annual oral report to the Economic and Social Council to keep it informed of the coordination aspects of the work of the Office and shall continue the existing practice, as established in paragraph 11 of its statute, of presenting an annual written report to the General Assembly, on the understanding that every ten years, beginning at the sixty-eighth session, the report will include a strategic review of the global situation of refugees and the role of the Office, prepared in consultation with the Secretary-General and the Executive Committee.

RESOLUTION 58/154

Adopted at the 77th plenary meeting, on 22 December 2003, without a vote, on the recommendation of the Committee (A/58/503, para. 34)[205]

58/154. Follow-up to the Regional Conference to Address the Problems of Refugees, Displaced Persons, Other Forms of Involuntary Displacement and Returnees in the Countries of the Commonwealth of Independent States and Relevant Neighbouring States

The General Assembly,

Recalling its resolutions 48/113 of 20 December 1993, 49/173 of 23 December 1994, 50/151 of 21 December 1995, 51/70 of 12 December 1996, 52/102 of 12 December 1997, 53/123 of 9 December 1998 and, in particular, resolutions 54/144 of 17 December 1999 and 56/134 of 19 December 2001,

Taking note of the report of the Secretary-General,[206]

Having considered the report of the United Nations High Commissioner for Refugees,[207]

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[204] *Official Records of the General Assembly, Fifty-seventh Session, Supplement No. 12A* (A/57/12/Add.1), annex IV.

[205] The draft resolution recommended in the report was sponsored in the Committee by: Afghanistan, Armenia, Austria, Belarus, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Japan, Kazakhstan, Kyrgyzstan, Lithuania, Luxembourg, Malta, Niger, Norway, Poland, Portugal, Republic of Moldova, Russian Federation, Slovakia, Slovenia, Spain, Sweden, Tajikistan, the former Yugoslav Republic of Macedonia, Turkmenistan, United Kingdom of Great Britain and Northern Ireland and United States of America.

[206] A/58/281.

[207] *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 12* (A/58/12).

Reaffirming the importance and continuing validity of the Programme of Action, adopted in 1996 by the Regional Conference to Address the Problems of Refugees, Displaced Persons, Other Forms of Involuntary Displacement and Returnees in the Countries of the Commonwealth of Independent States and Relevant Neighbouring States,[208] as a basic guiding tool for future activities,

Recognizing the ongoing acuteness of the migration and displacement problems in the countries of the Commonwealth of Independent States and the necessity to follow up the Conference,

Recalling the decision of the Steering Group of the Conference at its fifth meeting to continue activities in the process entitled "Follow-up to the 1996 Geneva Conference on the Problems of Refugees, Displaced Persons, Migration and Asylum Issues" for a period of five years,

Recalling also the Work Plan for the Thematic Issues, prepared jointly by the Office of the United Nations High Commissioner for Refugees, the International Organization for Migration, the Organization for Security and Cooperation in Europe and the Council of Europe, in accordance with the recommendations adopted by the Steering Group at its fifth meeting,

Welcoming the convening, in Moscow from 20 to 23 November 2001, of the second meeting of experts within the framework of the Work Plan for the Thematic Issues, on the topic of asylum system development and treatment of asylum-seekers, as well as international efforts aimed at improving migration regulation and border management, with due regard for refugee protection matters, and encouraging all lead agencies to continue to implement the Work Plan,

Welcoming also the subregional initiatives within the framework of transboundary cooperation and the convening, in Kolmården, Sweden, in September 2002, of the senior-level review meeting,

Reaffirming the view of the Conference that the primary responsibility for tackling population displacement problems lies with the affected countries themselves and that these issues are to be regarded as national priorities, while at the same time recognizing the need for enhancing international support for the national efforts of the countries of the Commonwealth of Independent States aimed at the effective implementation of such responsibilities within the framework of the Programme of Action adopted by the Conference,

Noting with satisfaction the efforts of the Office of the United Nations High Commissioner for Refugees, the International Organization for Migration and the Organization for Security and Cooperation in Europe in developing strategies and practical tools for more effective capacity-building in countries of origin and enhancing programmes to address the needs of various categories of concern to the countries of the Commonwealth of Independent States,

Taking note of the positive results emanating from the implementation of the Programme of Action,

Convinced of the necessity of further strengthening practical measures and of continuing to maintain the regional approach for the achievement of effective implementation of the Programme of Action,

Noting with concern the decision to postpone the high-level review meeting concerning the implementation of the decisions of the Conference,

Recalling that the protection and promotion of human rights and the strengthening of democratic institutions are essential to prevent mass population displacement,

Mindful that adherence to the principles and the recommendations contained in the Programme of Action should be facilitated and that they can be ensured only through cooperation and coordinated activities undertaken in this respect by all interested States, intergovernmental and non-governmental organizations and other actors,

1. *Takes note* of the report of the United Nations High Commissioner for Refugees;[207]

2. *Calls upon* the Governments of the countries of the Commonwealth of Independent States, in cooperation with the Office of the United Nations High Commissioner for Refugees, the International Organization for Migration and the Organization for Security and Cooperation in Europe, to strengthen their efforts and mutual cooperation relating to the follow-up to the Regional Conference to Address the Problems of Refugees, Displaced Persons, Other Forms of Involuntary Displacement and Returnees in the Countries of the Commonwealth of Independent States and Relevant Neighbouring States, and welcomes the positive results achieved by them in the implementation of the Programme of Action adopted by the Conference;[208]

3. *Invites* all States that have not yet done so to accede to and implement fully the 1951 Convention[209] and the 1967 Protocol[210] relating to the Status of Refugees;

4. *Calls upon* States and interested international organizations, in a spirit of solidarity and burden-sharing, to provide appropriate forms and levels of support for activities undertaken in follow-up to the Programme of Action;

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[208] A/51/341 and Corr.1, appendix.

[209] United Nations, *Treaty Series*, vol. 189, No. 2545.

[210] Ibid., vol. 606, No. 8791.

5. *Invites* international financial and other institutions to contribute to the financing of projects and programmes within the framework of such follow-up activities;

6. *Invites* the countries of the Commonwealth of Independent States to intensify bilateral, subregional and regional cooperation in maintaining the balance of commitments and interests in such activities;

7. *Calls upon* the Governments of the countries of the Commonwealth of Independent States to continue to strengthen their commitment to the principles underpinning the Programme of Action, in particular principles of human rights and refugee protection, and to lend high-level political support to ensure the implementation of activities undertaken in follow-up to the Programme of Action;

8. *Invites* the Office of the United Nations High Commissioner for Refugees and the International Organization for Migration to enhance their mutual relationship with other key international actors, such as the Council of Europe, the European Commission and human rights, development and financial institutions, in order better to address the wide-ranging and complex issues in activities undertaken in follow-up to the Programme of Action;

9. *Welcomes* the progress made in building civil society, in particular through the development of the non-governmental sector and the development of cooperation between non-governmental organizations and the Governments of a number of countries of the Commonwealth of Independent States, and notes in this regard the relationship between adherence to the principles of the Programme of Action and success in promoting civil society, especially in the field of human rights;

10. *Encourages* the involvement of intergovernmental and non-governmental organizations in the follow-up to the Conference, and invites them to demonstrate stronger support for the process of multinational constructive dialogue among a wide range of countries concerned;

11. *Emphasizes* the necessity of undertaking follow-up activities to the Programme of Action in relation to ensuring respect for human rights as an important factor in the management of migration flows, the consolidation of democracy, the rule of law and stability;

12. *Recognizes* the importance of taking measures, on the basis of strict adherence to all of the principles of international law, including humanitarian, human rights and refugee law, to prevent situations that lead to new flows of refugees, displaced persons and other forms of involuntary displacement;

13. *Requests* the Secretary-General to report to the General Assembly at its sixtieth session on the progress achieved in the implementation of activities undertaken in follow-up to the Programme of Action;

14. *Decides* to continue its consideration of the question at its sixtieth session.

RESOLUTION 58/155

Adopted at the 77th plenary meeting, on 22 December 2003, on the recommendation of the Committee (A/58/504, para. 65),[211] by a recorded vote of 106 to 5, with 65 abstentions, as follows:

In favour: Afghanistan, Algeria, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cambodia, Cape Verde, Chile, China, Comoros, Congo, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Ecuador, Egypt, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Niger, Nigeria, Oman, Pakistan, Panama, Paraguay, Philippines, Qatar, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Somalia, South Africa, Sri Lanka, Sudan, Syrian Arab Republic, Thailand, Togo, Tunisia, Turkey, Turkmenistan, Uganda, United Arab Emirates, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: Israel, Marshall Islands, Micronesia (Federated States of), Palau, United States of America

Abstaining: Albania, Andorra, Australia, Austria, Belgium, Bulgaria, Cameroon, Canada, Central African Republic, Colombia, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, El Salvador, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Nauru, Netherlands, New Zealand, Norway, Papua New Guinea, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Rwanda, Samoa, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Solomon Islands, Spain, Suriname, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Tonga, Tuvalu, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay, Uzbekistan

58/155. Situation of and assistance to Palestinian children

The General Assembly,

Recalling the Convention on the Rights of the Child,[212]

Recalling also the World Declaration on the Survival, Protection and Development of Children and the Plan of Action for Implementing the World Declaration on the Survival,

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[211] The draft resolution recommended in the report was sponsored in the Committee by: Afghanistan, Algeria, Bahrain, Bangladesh, Barbados, Belize, Benin, Brunei Darussalam, Burkina Faso, China, Cuba, Democratic Republic of the Congo, Djibouti, Egypt, Indonesia, Iran (Islamic Republic of), Jordan, Kuwait, Lebanon, Libyan Arab Jamahiriya, Malawi, Malaysia, Morocco, Namibia, Niger, Nigeria, Oman, Pakistan, Qatar, Saudi Arabia, Senegal, South Africa, Sudan, Togo, Tunisia, United Arab Emirates, Yemen, Zimbabwe and Palestine.

[212] Resolution 44/25, annex.

Protection and Development of Children in the 1990s, adopted by the World Summit for Children, held in New York on 29 and 30 September 1990,[213]

Recalling further the Declaration and Plan of Action adopted by the General Assembly at its twenty-seventh special session,[214]

Concerned that the Palestinian children under Israeli occupation remain deprived of many basic rights under the Convention,

Concerned also about the continued grave deterioration of the situation of Palestinian children in the Occupied Palestinian Territory, including East Jerusalem, and about the severe consequences of the continuing Israeli assaults and sieges on Palestinian cities, towns, villages and refugee camps, resulting in the dire humanitarian crisis,

Emphasizing the importance of the safety and well-being of all children in the whole Middle East region,

Expressing its condemnation of all acts of violence, resulting in extensive loss of human life and injuries, including among Palestinian children,

Deeply concerned about the severe consequences, including psychological consequences, of the Israeli military actions for the present and future well-being of Palestinian children,

1. *Stresses* the urgent need for Palestinian children to live a normal life free from foreign occupation, destruction and fear in their own State;

2. *Demands*, in the meanwhile, that Israel, the occupying Power, respect relevant provisions of the Convention on the Rights of the Child[212] and comply fully with the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[215] in order to ensure the well-being and protection of Palestinian children and their families;

3. *Calls upon* the international community to provide urgently needed assistance and services in an effort to alleviate the dire humanitarian crisis being faced by Palestinian children and their families and to help in the reconstruction of relevant Palestinian institutions.

RESOLUTION 58/156

Adopted at the 77th plenary meeting, on 22 December 2003, without a vote, on the recommendation of the Committee (A/58/504, para. 65)[216]

58/156. The girl child

The General Assembly,

Recalling its resolution 57/189 of 18 December 2002 and all relevant resolutions, including the agreed conclusions of the Commission on the Status of Women, in particular those relevant to the girl child,

Reaffirming the equal rights of women and men as enshrined, inter alia, in the Preamble to the Charter of the United Nations, the Convention on the Elimination of All Forms of Discrimination against Women[217] and the Convention on the Rights of the Child,[218]

Welcoming the entry into force of the Optional Protocols to the Convention on the Rights of the Child on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography,[219]

Welcoming also the imminent entry into force, on 25 December 2003, of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,[220]

Recalling the United Nations Millennium Declaration adopted on 8 September 2000,[221]

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[213] A/45/625, annex.

[214] See resolution S-27/2, annex.

[215] United Nations, *Treaty Series*, vol. 75, No. 973.

[216] The draft resolution recommended in the report was sponsored in the Committee by: Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Armenia, Australia, Austria, Azerbaijan, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burkina Faso, Burundi, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, El Salvador, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Hungary, Iceland, Indonesia, Ireland, Israel, Italy, Jamaica, Japan, Kenya, Latvia, Lesotho, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Malta, Mauritius, Mexico, Monaco, Mongolia, Mozambique, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nigeria, Norway, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Rwanda, San Marino, Senegal, Serbia and Montenegro, Seychelles, Slovakia, Slovenia, South Africa, Spain, Swaziland, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tunisia, Turkey, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Zambia and Zimbabwe.

[217] Resolution 34/180, annex.

[218] Resolution 44/25, annex.

[219] Resolution 54/263, annexes I and II.

[220] Resolution 55/25, annex II.

[221] See resolution 55/2.

Reaffirming the outcome document entitled "A world fit for children" adopted by the General Assembly at its special session on children, on 10 May 2002,[222]

Reaffirming also the Declaration of Commitment on HIV/AIDS adopted by the General Assembly at its twenty-sixth special session, on 27 June 2001,[223]

Recalling all other relevant United Nations conferences, the Beijing Declaration[224] and Platform for Action[225] adopted at the Fourth World Conference on Women, the outcome of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century",[226] and the outcome documents of the recent five-year reviews of the implementation of the Programme of Action of the International Conference on Population and Development[227] and the Programme of Action of the World Summit for Social Development,[228]

Reaffirming the Dakar Framework for Action adopted at the World Education Forum,[229]

Recalling the Declaration and Agenda for Action adopted at the World Congress against Commercial Sexual Exploitation of Children, held at Stockholm from 27 to 31 August 1996,[230] and welcoming the Yokohama Global Commitment 2001, adopted at the Second World Congress against Commercial Sexual Exploitation of Children, held at Yokohama, Japan, from 17 to 20 December 2001,[231]

Recognizing the efforts of the international community to strengthen the standards for combating sexual abuse and exploitation, and in this regard taking note of the Secretary-General's bulletin on special measures for protection from sexual exploitation and sexual abuse[232] and other policies and codes of conduct developed by the United Nations system to prevent and address such incidents,

Recalling the International Conference on War-Affected Children, held at Winnipeg, Canada, from 10 to 17 September 2000, and affirming the ongoing importance of the Winnipeg Agenda for War-Affected Children[233] for all children affected by armed conflict,

Recognizing the need to achieve gender equality to ensure a just and equitable world for girls,

Deeply concerned about discrimination against the girl child and the violation of the rights of the girl child, which often result in less access for girls to education, nutrition and physical and mental health care and in girls enjoying fewer of the rights, opportunities and benefits of childhood and adolescence than boys and often being subjected to various forms of cultural, social, sexual and economic exploitation and to violence and harmful practices, such as female infanticide, incest, early marriage, prenatal sex selection and female genital mutilation,

Deeply concerned also that, in situations of poverty, war and armed conflict, girl children are among those most affected and that their potential for full development is thus limited,

Concerned that the girl child has furthermore become the victim of sexually transmitted diseases and increasingly of the human immunodeficiency virus, which have a serious impact on the quality of her life and leave her open to further discrimination,

Concerned also by the increasing number of child-headed households particularly orphan girls, including those orphaned by the HIV/AIDS pandemic,

Convinced that racism, racial discrimination, xenophobia and related intolerance reveal themselves in a differentiated manner for women and girls and can be among the factors leading to a deterioration in their living conditions, poverty, violence, multiple forms of discrimination and limitation or denial of their human rights,

1. *Stresses* the need for full and urgent implementation of the rights of the girl child as guaranteed to her under all human rights instruments, including the Convention on the Rights of the Child[218] and the Convention on the Elimination of All Forms of Discrimination against Women,[217] as well as the need for universal ratification of those instruments;

2. *Urges* States to consider signing, ratifying or acceding to the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women[234] and the Optional Protocols to the Convention on the Rights of the Child;[219]

3. *Urges* all States to take all necessary measures and to institute legal reforms to ensure the full and equal enjoyment by the girl child of all human rights and fundamental freedoms and to take effective action against violations of those rights and freedoms;

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[222] Resolution S-27/2, annex.

[223] Resolution S-26/2, annex.

[224] *Report of the Fourth World Conference on Women, Beijing, 4–15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex I.

[225] Ibid., annex II.

[226] Resolution S-23/2, annex, and resolution S-23/3, annex.

[227] Resolution S-21/2, annex.

[228] Resolution S-24/2, annex.

[229] See United Nations Educational, Scientific and Cultural Organization, *Final Report of the World Education Forum, Dakar, Senegal, 26–28 April 2000* (Paris, 2000).

[230] A/51/385, annex.

[231] See A/S-27/12, annex.

[232] ST/SGB/2003/13.

[233] A/55/467-S/2000/973, annex.

[234] Resolution 54/4, annex.

4. *Urges* all Governments and the United Nations system to strengthen efforts bilaterally and with international organizations and private sector donors in order to achieve the goals of the World Education Forum,[229] in particular that of eliminating gender disparities in primary and secondary education by 2005, and to implement the United Nations Girls' Education Initiative as a means of reaching this goal, and reaffirms the commitment contained in the United Nations Millennium Declaration[221] in this regard;

5. *Calls upon* all States to take measures to address the obstacles that continue to affect the achievement of the goals set forth in the Beijing Platform for Action,[225] as contained in paragraph 33 of the further actions and initiatives to implement the Beijing Declaration and Platform for Action,[235] where appropriate, including the strengthening of national mechanisms to implement policies and programmes for the girl child and, in some cases, to enhance coordination among responsible institutions for the realization of the human rights of girls, as indicated in the further actions and initiatives;

6. *Urges* States to enact and strictly enforce laws to ensure that marriage is entered into only with the free and full consent of the intending spouses, to enact and strictly enforce laws concerning the minimum legal age of consent and the minimum age for marriage and to raise the minimum age for marriage where necessary;

7. *Also urges* States to fulfil their obligations under the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women, as well as the commitment to implement the Beijing Platform for Action and the outcomes of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century"[226] and the special session on children;[222]

8. *Urges* all States to promote gender equality and equal access to basic social services, such as education, nutrition, health care, including sexual and reproductive health care, vaccinations, and protection from diseases representing the major causes of mortality, and to mainstream a gender perspective in all development policies and programmes;

9. *Also urges* all States to enact and enforce legislation to protect girls from all forms of violence and exploitation, including female infanticide and prenatal sex selection, female genital mutilation, rape, domestic violence, incest, sexual abuse, sexual exploitation, child prostitution and child pornography, trafficking and forced labour, and to develop age-appropriate safe and confidential programmes and medical, social and psychological support services to assist girls who are subjected to violence;

10. *Urges* States to formulate comprehensive, multidisciplinary and coordinated national plans, programmes or strategies to eliminate all forms of violence against women and girls, which should be widely disseminated and should provide targets and timetables for implementation, as well as effective domestic enforcement procedures through the establishment of monitoring mechanisms involving all parties concerned, including consultations with women's organizations, giving attention to the recommendations relating to the girl child of the Special Rapporteur of the Commission on Human Rights on violence against women, its causes and consequences;

11. *Calls upon* all States and international and non-governmental organizations, individually and collectively, to implement further the Beijing Platform for Action, in particular the strategic objectives relating to the girl child, and the further actions and initiatives to implement the Beijing Declaration and Platform for Action;

12. *Urges* States to ensure that the right of children to express themselves and participate in all matters affecting them, in accordance with their age and maturity, is fully and equally enjoyed by girls;

13. *Recognizes* that a considerable number of children, including orphans, children living on the street, internally displaced and refugee children, children affected by trafficking and sexual and economic exploitation and children who are incarcerated, live without parental support, and in this regard urges States to take special measures to support such children and the institutions, facilities and services that care for them, and to build and strengthen children's abilities to protect themselves;

14. *Urges* States to take appropriate measures to address the needs of orphan girls by implementing national policies and strategies to build and strengthen governmental, family and community capacities to provide a supportive environment for orphans and girls and boys infected with and affected by HIV/AIDS, including by providing appropriate counselling and psychosocial support, and ensuring their enrolment in school and access to shelter, good nutrition and health and social services on an equal basis with other children; and to protect orphans and vulnerable children from all forms of abuse, violence, exploitation, discrimination, trafficking and loss of inheritance;

15. *Also urges* States to take special measures for the protection of girls affected by armed conflicts and in particular to protect them from sexually transmitted diseases, such as HIV/AIDS, gender-based violence, including rape and sexual abuse, and sexual exploitation, torture, abduction and forced labour, paying special attention to refugee and displaced girls, and to take into account the special needs of girls affected by armed conflict in the delivery of humanitarian assistance and disarmament, demobilization, rehabilitation assistance and reintegration processes;

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[235] Resolution S-23/3, annex.

16. *Deplores* all the cases of sexual exploitation and abuse of women and children, especially girls, in humanitarian crises, including those cases involving humanitarian workers and peacekeepers;

17. *Urges* all States and the international community to respect, protect and promote the rights of the child, taking into account the particular vulnerabilities of the girl child in pre-conflict, conflict and post-conflict situations, and calls for special initiatives designed to address all of the rights and needs of girls affected by armed conflicts;

18. *Calls upon* Governments, civil society, including the media, and non-governmental organizations to promote human rights education and the full respect for and enjoyment of the human rights of the girl child, inter alia, through the translation, production and dissemination of age-appropriate information material on those rights to all sectors of society, in particular to children;

19. *Calls upon* States and international and non-governmental organizations to mobilize all necessary resources, support and efforts to realize the goals, strategic objectives and actions set out in the Beijing Platform for Action and the further actions and initiatives to implement the Beijing Declaration and Platform for Action;

20. *Requests* the Secretary-General, as Chairman of the United Nations System Chief Executives Board for Coordination, to ensure that all organizations and bodies of the United Nations system, individually and collectively, in particular the United Nations Children's Fund, the United Nations Educational, Scientific and Cultural Organization, the World Food Programme, the United Nations Population Fund, the United Nations Development Fund for Women, the World Health Organization, the United Nations Development Programme, the Office of the United Nations High Commissioner for Refugees and the International Labour Organization, take into account the rights and the particular needs of the girl child in the country programme of cooperation in accordance with the national priorities, including through the United Nations Development Assistance Framework;[236]

21. *Requests* all human rights treaty bodies, special procedures and other human rights mechanisms of the Commission on Human Rights and its Subcommission on the Promotion and Protection of Human Rights to adopt regularly and systematically a gender perspective in the implementation of their mandates and to include in their reports information on the qualitative analysis of violations of the human rights of women and girls, and encourages the strengthening of cooperation and coordination in that regard;

22. *Stresses* the importance of a substantive assessment of the implementation of the Beijing Platform for Action with a life-cycle perspective so as to identify gaps and obstacles in the implementation process and to develop further actions for the achievement of the goals of the Platform for Action;

23. *Requests* Member States to ensure that, in preventing and addressing HIV/AIDS, particular attention is paid to the girl child infected with and affected by HIV/AIDS;

24. *Decides* to review the progress made in the protection and promotion of the rights and well-being of the girl child, and requests the Secretary-General to provide information relating to the girl child in his report on the follow-up to and implementation of the outcomes of the United Nations conferences and summits to be considered during the sixtieth session of the General Assembly.

RESOLUTION 58/157

Adopted at the 77th plenary meeting, on 22 December 2003, on the recommendation of the Committee (A/58/504, para. 65),[237] by a recorded vote of 179 to 1, with no abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico,

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[236] See A/53/226, paras. 72–77, and A/53/226/Add.1, paras. 88–98.

[237] The draft resolution recommended in the report was sponsored in the Committee by: Albania, Andorra, Argentina, Armenia, Australia, Austria, Belarus, Belgium, Belize, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burkina Faso, Burundi, Cameroon, Canada, Central African Republic, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Dominica, Dominican Republic, Ecuador, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Germany, Ghana, Greece, Guatemala, Haiti, Honduras, Hungary, Iceland, Indonesia, Ireland, Italy, Jamaica, Japan, Kazakhstan, Latvia, Lesotho, Liechtenstein, Lithuania, Luxembourg, Malawi, Malta, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Norway, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, San Marino, Slovakia, Slovenia, South Africa, Spain, Suriname, Swaziland, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Tunisia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay, Uzbekistan, Venezuela, Viet Nam, Zambia and Zimbabwe.

Micronesia (Federated States of), Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: United States of America
Abstaining: None

58/157. Rights of the child

The General Assembly,

Recalling its previous resolutions on the rights of the child, the most recent of which is resolution 57/190 of 18 December 2002, as well as Commission on Human Rights resolution 2003/86 of 25 April 2003,[238]

Emphasizing that the Convention on the Rights of the Child[239] must constitute the standard in the promotion and protection of the rights of the child, and bearing in mind the importance of the Optional Protocols to the Convention on the Rights of the Child on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography,[240] as well as other relevant human rights instruments,

Reaffirming that the general principles of, inter alia, the best interests of the child, non-discrimination, participation and survival and development provide the framework for all actions concerning children, including adolescents,

Reaffirming also the World Declaration on the Survival, Protection and Development of Children and the Plan of Action for Implementing the World Declaration on the Survival, Protection and Development of Children in the 1990s adopted by the World Summit for Children, held in New York on 29 and 30 September 1990,[241] and the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights, held in Vienna from 14 to 25 June 1993,[242]

Reaffirming further the United Nations Millennium Declaration[243] and the Declaration of Commitment on HIV/AIDS,[244]

Reaffirming the outcome document of the special session of the General Assembly on children, entitled "A world fit for children",[245] and the commitments contained therein to promote and protect the rights of each child, every human being below the age of 18 years, including adolescents, and the integration of child rights issues into the outcome documents of all major United Nations conferences, special sessions and summits,

Reaffirming also the essential roles of the General Assembly, the Economic and Social Council and the Commission on Human Rights in promoting and protecting the rights and welfare of children, and noting the importance of the debates held by the Security Council on children and armed conflict, of Council resolutions 1379 (2001) of 20 November 2001 and 1460 (2003) of 30 January 2003 and of the undertaking by the Council to give special attention to the protection, welfare and rights of children in armed conflict when taking action aimed at maintaining peace and security, including provisions for the protection of children in the mandates of peacekeeping operations, as well as the inclusion of child protection advisers in these operations,

Welcoming the reports of the Secretary-General on the status of the Convention on the Rights of the Child[246] and on progress achieved in realizing the commitments set out in the document entitled "A world fit for children",[247] and the report of the Special Representative of the Secretary-General for Children and Armed Conflict,[248]

Welcoming also the work of the Committee on the Rights of the Child in examining the progress made by States parties to the Convention in implementing the obligations undertaken in the Convention and in providing recommendations to States parties on the implementation of the Convention and, in cooperation with the Office of the United Nations High Commissioner for Human Rights, in enhancing awareness of the principles and provisions of the Convention,

Welcoming further the increase in the membership of the Committee on the Rights of the Child from ten to eighteen,

Welcoming the appointment by the Secretary-General of the independent expert for the United Nations study on violence against children,

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[238] See *Official Records of the Economic and Social Council, 2003, Supplement No. 3* (E/2003/23), chap. II, sect. A.

[239] Resolution 44/25, annex.

[240] Resolution 54/263, annexes I and II.

[241] A/45/625, annex.

[242] A/CONF.157/24 (Part I), chap. III.

[243] See resolution 55/2.

[244] Resolution S-26/2, annex.

[245] Resolution S-27/2, annex.

[246] A/58/282.

[247] A/58/333.

[248] See A/58/328 and Corr.1.

Profoundly concerned that the situation of children in many parts of the world remains critical as a result of the persistence of poverty, social inequality, inadequate social and economic conditions in an increasingly globalized economic environment, pandemics, in particular HIV/AIDS, malaria and tuberculosis, environmental damage, natural disasters, armed conflict, displacement, exploitation, illiteracy, hunger, intolerance, discrimination, gender inequality, disability and inadequate legal protection, and convinced that urgent and effective national and international action is called for,

Bearing in mind the International Decade for a Culture of Peace and Non-Violence for the Children of the World, 2001–2010, and recalling the Declaration and Programme of Action on a Culture of Peace,[240] which serve as the basis for the Decade,

Recognizing that the family is the basic unit of society and as such should be strengthened, that it is entitled to receive comprehensive protection and support, that the primary responsibility for the protection, upbringing and development of children rests with the family and that all institutions of society should respect the rights of the child and secure his or her well-being and render appropriate assistance to parents, families, legal guardians and other caregivers so that children can grow and develop in a safe and stable environment and in an atmosphere of happiness, love and understanding, bearing in mind that in different cultural, social and political systems, various forms of family exist,

Recognizing also that partnership among Governments, international organizations and relevant organs and organizations of the United Nations system, in particular the United Nations Children's Fund, and all actors of civil society, including non-governmental organizations, as well as the private sector, is important for the realization of the rights of the child,

Underlining the need for mainstreaming a gender perspective in all policies and programmes relating to children,

Implementation of the Convention on the Rights of the Child and the Optional Protocols thereto on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography

1. *Urges* States that have not yet done so to sign and ratify or accede to the Convention on the Rights of the Child[239] as a matter of priority, and urges States parties to implement it fully, while stressing that the implementation of the Convention and the achievement of the goals of the World Summit for Children and the special session of the General Assembly on children are mutually reinforcing;

2. *Expresses its concern* about the great number of reservations to the Convention, and urges States parties to withdraw reservations incompatible with the object and purpose of the Convention and to consider reviewing other reservations with a view to withdrawing them;

3. *Urges* States that have not yet done so to consider signing and ratifying or acceding to the Optional Protocols to the Convention on the Rights of the Child on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography,[240] and urges States parties to implement them fully;

4. *Calls upon* States parties to ensure that the rights set forth in the Convention are respected without discrimination of any kind and that the best interest of the child is a primary consideration in all actions concerning children, to recognize the child's inherent right to life and to ensure the child's survival and development to the maximum extent possible and to ensure also that the child is able to express his or her views freely in all matters affecting him or her and that these views are listened to and given due weight in accordance with his or her age and maturity;

5. *Urges* States parties to take all appropriate measures for the implementation of the rights recognized in the Convention, bearing in mind article 4 of the Convention, by:

(*a*) Putting in place effective national legislation, policies and action plans and by strengthening relevant governmental structures for children, including, where appropriate, ministers in charge of child issues and independent commissioners for the rights of the child;

(*b*) Ensuring adequate and systematic training in the rights of the child for professional groups working with and for children, including specialized judges, law enforcement officials, lawyers, social workers, medical doctors, health professionals and teachers, and coordination among various governmental bodies involved in children's rights, and encourages States and relevant bodies and organizations of the United Nations system to continue to promote education and training in this regard;

6. *Calls upon* States parties:

(*a*) To ensure that the members of the Committee on the Rights of the Child are of high moral standing and recognized competence in the field covered by the Convention, and serve in their personal capacity, consideration being given to equitable geographical distribution as well as to the principal legal systems;

(*b*) To strengthen their cooperation with the Committee and to comply in a timely manner with their reporting obligations under the Convention and the Optional Protocols thereto, in accordance with the guidelines elaborated by the Committee, as well as to take into account the recommendations made by the Committee in the implementation of the provisions of the Convention;

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[240] Resolutions 53/243 A and B.

7. *Calls upon* all States and relevant actors concerned to continue to cooperate with the special rapporteurs and special representatives of the United Nations system in the implementation of their mandates, requests the Secretary-General to provide them with appropriate staff and facilities from the United Nations regular budget, when this is in accordance with their respective mandates, invites States to continue to make voluntary contributions, where appropriate, and urges all relevant parts of the United Nations system to provide them with comprehensive reporting to make possible the full discharge of their mandates;

8. *Calls upon* all States to end impunity for perpetrators of crimes committed against children, recognizing in this regard the contribution of the establishment of the International Criminal Court as a way to prevent violations of human rights and international humanitarian law, in particular when children are victims of serious crimes, including the crime of genocide, crimes against humanity and war crimes, and to bring perpetrators of such crimes to justice, and not to grant amnesties for these crimes;

9. *Encourages* all States:

(*a*) To strengthen their national statistical capacities and to use statistics disaggregated, inter alia, by age, gender and other relevant factors that may lead to disparities and other statistical indicators at the national, subregional, regional and international levels to develop and assess social policies and programmes so that economic and social resources are used efficiently and effectively for the full realization of the rights of the child;

(*b*) To strengthen their partnership with United Nations organs, within their respective mandates, the Bretton Woods institutions and other multilateral agencies, as well as other relevant actors;

10. *Requests* all relevant organs of the United Nations system, the Office of the United Nations High Commissioner for Human Rights and United Nations mechanisms regularly and systematically to incorporate a strong child rights perspective throughout all activities in the fulfilment of their mandates, as well as to ensure that their staff is trained in child protection matters, and calls upon States to cooperate closely with them;

11. *Encourages* Governments and relevant United Nations bodies, as well as relevant non-governmental organizations and child rights advocates, to continue to contribute, as appropriate, to the web-based database launched by the United Nations Children's Fund in order to continue the provision of information on laws, structures, policies and processes adopted at the national level to translate the Convention into practice, and in this regard commends that body for its work to disseminate lessons learned in the implementation of the Convention;

Promoting and protecting the rights of children and non-discrimination against children, including children in particularly difficult situations

Identity, family relations and birth registration

12. *Calls upon* all States to intensify efforts to ensure the registration of all children immediately after birth, including through the consideration of simplified, expeditious and effective procedures;

13. *Also calls upon* all States to undertake to respect the right of the child to preserve his or her identity, including nationality, name and family relations as recognized by law, without unlawful interference and, where a child is illegally deprived of some or all of the elements of his or her identity, to provide appropriate assistance and protection with a view to speedily re-establishing his or her identity;

14. *Urges* all States to ensure, as far as possible, the right of the child to know and be cared for by his or her parents;

15. *Calls upon* States to guarantee, to the extent consistent with each State's obligations, the right of a child whose parents reside in different States to maintain, on a regular basis, save in exceptional circumstances, personal relations and direct contact with both parents by providing means of access and visitation in both States and by respecting the principle that both parents have common responsibilities for the upbringing and development of their children;

16. *Urges* all States to ensure that a child shall not be separated from his or her parents against their will, except when the competent authorities, subject to judicial review, determine, in accordance with applicable law and procedures, that such separation is necessary in the best interest of the child, and, where alternative care is necessary, to promote family and community-based care in preference to placement in institutions, recognizing that such determination may be necessary in a particular case, such as one involving abuse or neglect of the child by the parents or one in which the parents are living separately and a decision must be made as to the child's place of residence;

17. *Calls upon* States to take all necessary measures to ensure that the best interest of the child is the primary consideration in the adoption of children and to take all necessary measures to prevent and combat illegal adoptions and adoptions that do not follow the normal procedures;

18. *Also calls upon* States to take all necessary measures to address the problem of children growing up without parents, in particular orphaned children and children who are victims of family and social violence, neglect and abuse;

19. *Urges* States to address cases of international kidnapping of children by one of the parents;

Poverty

20. *Reaffirms* that investments in children and the realization of their rights are among the most effective ways to eradicate poverty;

21. *Calls upon* States and the international community to cooperate, support and participate in the global efforts for poverty eradication at the global, regional and country levels, recognizing that strengthened availability and effective allocation of resources are required at all of these levels, in order to ensure that all the development and poverty eradication goals, as set out in the United Nations Millennium Declaration,[243] are realized within their time framework, and to promote the enjoyment of the rights of the child;

Health

22. *Calls upon* all States to take all appropriate measures to develop sustainable health systems and social services and to ensure access to such systems and services without discrimination and to pay particular attention to adequate food and nutrition to prevent disease and malnutrition, to prenatal and post-natal health care, to the special needs of adolescents, to reproductive and sexual health and to threats from substance abuse and violence, in particular to all vulnerable groups, and calls upon all States parties to take all necessary measures to ensure the right of all children, without discrimination, to the enjoyment of the highest attainable standard of health;

23. *Urges* all States to assign priority to activities and programmes aimed at preventing the abuse of narcotic drugs, psychotropic substances and inhalants as well as preventing other addictions, in particular addiction to alcohol and tobacco, among children and young people, especially those in vulnerable situations, and to counter the use of children and young people in the illicit production of and trafficking in narcotic drugs and psychotropic substances;

24. *Calls upon* all States to give support and rehabilitation to children and their families affected by HIV/AIDS and to involve children and their caregivers, as well as the private sector, to ensure the effective prevention of HIV infections through correct information and access to voluntary and confidential care, treatment and testing, including pharmaceutical products and medical technologies, affordable to all, giving due importance to the prevention of mother-to-child transmission of the virus;

Education

25. *Also calls upon* all States:

(*a*) To recognize the right to education on the basis of equal opportunity by making primary education compulsory and available free to all, without discrimination, by ensuring that all children, including girls, children in need of special protection, children with disabilities, indigenous children, children belonging to minorities and children from different ethnic origins, have access without discrimination to education of good quality, as well as by making secondary education generally available and accessible to all, in particular by the progressive introduction of free education, bearing in mind that special measures to ensure equal access, including affirmative action, contribute to achieving equal opportunity and combating exclusion, and to ensure that the education of the child is carried out and States parties develop and implement programmes for the education of the child in accordance with articles 28 and 29 of the Convention;

(*b*) To develop national plans of action, or to strengthen existing ones, in order to achieve the objectives of Education for All so as to ensure that all boys and girls complete a full course of primary schooling, and reaffirms the coordinating role of the United Nations Educational, Scientific and Cultural Organization in this regard;

(*c*) To design and implement programmes to provide social services and support to pregnant adolescents and adolescent mothers, in particular to enable them to continue and complete their education;

(*d*) To promote an educational setting that eliminates all barriers that impede the schooling of pregnant adolescents and adolescent mothers;

(*e*) To take all appropriate measures to prevent racism and discriminatory and xenophobic attitudes and behaviour through education, keeping in mind the important role that children play in changing those practices;

(*f*) To ensure that children, from an early age, benefit from education and from participation in activities that develop respect for human rights and emphasize the practice of non-violence, with the aim of instilling in them the values and goals of a culture of peace, and invites States to develop national strategies for human rights education that are comprehensive, participatory and effective;

(*g*) To ensure that education programmes and materials reflect fully the promotion and protection of human rights and values of peace, tolerance and gender equality, using every opportunity presented by the International Decade for a Culture of Peace and Non-Violence for the Children of the World, 2001–2010;

(*h*) To harness the rapidly evolving information and communication technologies to support education at an affordable cost, including open and distance education, while reducing inequality in access and quality;

26. *Urges* States:

(*a*) To take measures to protect students from violence, injury or abuse, including sexual abuse and intimidation or maltreatment in schools, to establish complaint mechanisms that are age-appropriate and accessible to children and to undertake thorough and prompt investigations of all acts of violence and discrimination;

(*b*) To take measures to eliminate the use of corporal punishment in schools;

Freedom from violence

27. *Calls upon* States to take all appropriate measures to prevent and protect children from all forms of violence, including physical, mental and sexual violence, torture, child abuse, abuse by police, other law enforcement authorities and employees and officials in detention centres or welfare institutions, including orphanages, and domestic violence;

28. *Also calls upon* States to investigate and submit cases of torture and other forms of violence against children to the competent authorities for the purpose of prosecution and to impose appropriate disciplinary or penal sanctions against those responsible for such practices;

29. *Requests* all relevant human rights mechanisms, in particular special rapporteurs and working groups, within their mandates, to pay attention to the special situations of violence against children, reflecting their experiences in the field;

Non-discrimination

30. *Calls upon* all States to ensure that children are entitled to their civil, political, economic, social and cultural rights without discrimination of any kind;

31. *Notes with concern* the large number of children, particularly girls, among the victims of racism, racial discrimination, xenophobia and related intolerance, and stresses the need to incorporate special measures, in accordance with the principle of the best interests of the child and respect for his or her views, in programmes to combat racism, racial discrimination, xenophobia and related intolerance, in order to give priority attention to the rights and the situation of children who are victims of these practices, and calls upon States to provide special support and ensure equal access to services for those children;

32. *Calls upon* all States in which ethnic, religious or linguistic minorities or persons of indigenous origin exist not to deny to a child belonging to such a minority or an indigenous child the right, in community with other members of his or her group, to enjoy his or her own culture, to profess and practise his or her own religion or to use his or her own language;

The girl child

33. *Calls upon* all States to take all necessary measures, including legal reforms where appropriate:

(*a*) To ensure the full and equal enjoyment by girls of all human rights and fundamental freedoms, to take effective actions against violations of those rights and freedoms and to base programmes and policies on the rights of the child, taking into account the special situation of girls;

(*b*) To eliminate all forms of discrimination against girls and all forms of violence, including female infanticide and prenatal sex selection, rape, sexual abuse and harmful traditional or customary practices, including female genital mutilation, the root causes of son preference, marriages without free and full consent of the intending spouses, early marriages and forced sterilization, by enacting and enforcing legislation and, where appropriate, formulating comprehensive, multidisciplinary and coordinated national plans, programmes or strategies protecting girls;

Children with disabilities

34. *Also calls upon* all States to take necessary measures to ensure the full and equal enjoyment of all human rights and fundamental freedoms by children with disabilities in both the public and the private spheres, including access to good quality education and health care and protection from violence, abuse and neglect, and to develop and, where it already exists, to enforce legislation to prohibit discrimination against them to ensure their dignity, promote their self-reliance and facilitate their active participation and integration in the community, taking into account the particularly difficult situation of children with disabilities living in poverty;

35. *Encourages* the Ad Hoc Committee on a Comprehensive and Integral International Convention on the Protection and Promotion of the Rights and Dignity of Persons with Disabilities to consider the issue of children with disabilities in its deliberations;

Migrant children

36. *Calls upon* all States to ensure, for migrant children, the enjoyment of all human rights as well as access to health care, social services and education of good quality and to ensure that migrant children, and especially those who are unaccompanied, in particular victims of violence and exploitation, receive special protection and assistance;

Children working and/or living on the street

37. *Also calls upon* all States to prevent violations of the rights of children working and/or living on the street, including discrimination, arbitrary detention and extrajudicial, arbitrary and summary executions, torture, all kinds of violence and exploitation, and to bring the perpetrators to justice, to adopt and implement policies for the protection, social and psychosocial rehabilitation and reintegration of these children and to adopt economic, social and educational strategies to address the problems of children working and/or living on the street;

Refugee and internally displaced children

38. *Further calls upon* all States to protect refugee, asylum-seeking and internally displaced children, in particular those who are unaccompanied, who are particularly exposed to risks in connection with armed conflict, such as recruitment, sexual violence and exploitation, to pay particular attention to programmes for voluntary repatriation and, wherever possible, local integration and resettlement, to give priority to family tracing and reunification and, where appropriate, to cooperate with international humanitarian and refugee organizations, including by facilitating their work;

Child labour

39. *Calls upon* all States to translate into concrete action their commitment to the progressive and effective elimination of child labour that is likely to be hazardous to or interfere with the child's education or to be harmful to the child's health or physical, mental, spiritual, moral or social development, to eliminate immediately the worst forms of child labour, to promote education as a key strategy in this regard, including the creation of vocational training and apprenticeship programmes and the integration of working children into the formal education system, and to examine and devise economic policies, where necessary, in cooperation with the international community, that address factors contributing to these forms of child labour;

40. *Urges* all States that have not yet done so to consider ratifying the Convention concerning Minimum Age for Admission to Employment, 1973 (Convention No. 138) and the Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, 1999 (Convention No. 182) of the International Labour Organization, and calls upon States parties to those instruments to implement them fully and to comply in a timely manner with their reporting obligations;

Children alleged to have infringed or recognized as having infringed penal law

41. *Calls upon*:

(*a*) All States, in particular States in which the death penalty has not been abolished, to comply with their obligations as assumed under relevant provisions of international human rights instruments, including, in particular, articles 37 and 40 of the Convention on the Rights of the Child[239] and articles 6 and 14 of the International Covenant on Civil and Political Rights,[250] keeping in mind the safeguards guaranteeing protection of the rights of those facing the death penalty and guarantees set out in Economic and Social Council resolutions 1984/50 of 25 May 1984 and 1989/64 of 24 May 1989, and calls upon those States to abolish by law, as soon as possible, the death penalty for those below the age of 18 years at the time of the commission of the offence;

(*b*) All States to protect children deprived of their liberty from torture and other cruel, inhuman or degrading treatment or punishment;

(*c*) All States to take appropriate steps to ensure compliance with the principle that depriving children of their liberty should be used only as a measure of last resort and for the shortest appropriate period of time, in particular before trial, and to ensure that, if they are arrested, detained or imprisoned, children are provided with adequate legal assistance and are separated from adults, to the greatest extent feasible, unless it is considered in their best interest not to do so, and also to take appropriate steps to ensure that no child in detention is sentenced to forced labour or corporal punishment or deprived of access to and provision of health-care services, hygiene and environmental sanitation, education, basic instruction and vocational training, taking into consideration the special needs of children with disabilities in detention, in accordance with their obligations under the Convention;

Recovery and social reintegration

42. *Encourages* States to cooperate, including through bilateral and multilateral technical cooperation and financial assistance, in the implementation of their obligations under the Convention, including in the prevention of any activity contrary to the rights of the child and in the rehabilitation and social integration of the victims, such assistance and cooperation to be undertaken in consultation among concerned States and relevant international organizations as well as other relevant actors;

Prevention and eradication of the sale of children, child prostitution and child pornography

43. *Calls upon* all States:

(*a*) To take all appropriate national, bilateral and multilateral measures, inter alia, to develop national laws and allocate resources for the development of long-term policies, programmes and practices and to collect comprehensive data, disaggregated by age, gender and other relevant factors, to facilitate the participation of child victims of sexual exploitation in the development of strategies, taking into account their age and maturity, and to ensure the effective implementation of relevant international instruments concerning the prevention and the combating of trafficking and sale of children for any purpose or in any form, including the transfer of the organs of the child for profit, child prostitution and child pornography, and encourages all actors of civil society, the private sector and the media to cooperate in efforts to this end;

(*b*) To increase cooperation at all levels to prevent and dismantle networks trafficking in children;

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[250] See resolution 2200 A (XXI), annex.

(*c*) To consider ratifying or acceding to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime;[251]

(*d*) To criminalize and effectively penalize all forms of sexual exploitation and sexual abuse of children, including within the family or for commercial purposes, child pornography and child prostitution, child sex tourism, the sale of children and their organs, and the use of the Internet for these purposes, while ensuring that, in the treatment by the criminal justice system of children who are victims, the best interests of the child shall be a primary consideration, and to take effective measures against the criminalization of children who are victims of exploitation and effective measures to ensure the prosecution of offenders, whether local or foreign, by the competent national authorities, either in the country where the crime was committed, or in the country of which the offender is a national or resident, or in the country of which the victim is a national, or on any other basis permitted under domestic law in accordance with due process of law;

(*e*) In cases of the sale of children, child prostitution and child pornography, to address effectively the needs of victims, including their physical and psychological recovery and full reintegration into their family and society;

(*f*) To combat the existence of a market that encourages such criminal practices against children, including through the adoption, effective application and enforcement of preventive, rehabilitative and punitive measures targeting customers or individuals who sexually exploit or sexually abuse children, as well as by ensuring public awareness;

(*g*) To afford one another the greatest measure of assistance in connection with investigations or criminal or extradition proceedings brought in respect of the offences set forth in article 3, paragraph 1, of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography,[252] including assistance in obtaining evidence at their disposal for the proceedings;

(*h*) To contribute to the elimination of the sale of children, child prostitution and child pornography by adopting a holistic approach, addressing the contributing factors, including underdevelopment, poverty, economic disparities, inequitable socio-economic structures, dysfunctional families, lack of education, urban-rural migration, gender discrimination, irresponsible adult sexual behaviour, harmful traditional practices, armed conflicts and trafficking in children;

Children in armed conflict

44. *Recognizes* the inclusion in the Rome Statute of the International Criminal Court,[253] as a war crime, of crimes involving sexual violence and crimes of conscripting or enlisting children under the age of 15 years or using them to participate actively in hostilities in both international and non-international armed conflicts;

45. *Urges* all States and all other parties to armed conflicts to end the recruitment and use of children in situations of armed conflict contrary to international law and to ensure their demobilization, effective disarmament and rehabilitation, physical and psychological recovery and reintegration into society;

46. *Urges* all States:

(*a*) When ratifying the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict,[254] to raise the minimum age for voluntary recruitment of persons into their national armed forces from that set out in article 38, paragraph 3, of the Convention, bearing in mind that under the Convention persons below the age of 18 years are entitled to special protection, and to adopt safeguards to ensure that such recruitment is not forced or coerced;

(*b*) To protect children affected by armed conflict, in particular to protect them from acts that constitute violations of international humanitarian law and human rights law and to ensure that they receive timely, effective and unhindered humanitarian assistance as well as support for physical and psychological recovery;

47. *Emphasizes* the importance of giving systematic consideration to the rights, special needs and particular vulnerability of the girl child during conflicts and in post-conflict situations;

48. *Regrets* the fact that the report on a comprehensive assessment of the United Nations response to the issue of children affected by armed conflict, requested in resolution 57/190, has not yet been submitted, and reiterates its request to the Secretary-General to submit his report for consideration as soon as possible;

Follow-up

49. *Urges* those States that have not yet done so to complete a national action plan as soon as possible incorporating the goals agreed at the special session of the General Assembly

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[251] Resolution 55/25, annex II.

[252] Resolution 54/263, annex II.

[253] *Official Records of the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court, Rome, 15 June–17 July 1998*, vol. I: *Final documents* (United Nations publication, Sales No. E.02.I.5), sect. A.

[254] Resolution 54/263, annex I.

on children, as reflected in its outcome document entitled "A world fit for children",[245] and to place those goals within the framework of the Convention on the Rights of the Child;[239]

50. *Decides*:

(*a*) To request the Secretary-General to prepare an updated report on progress achieved in realizing the commitments set out in the document entitled "A world fit for children", with a view to identifying problems and constraints and making recommendations on the action needed to achieve further progress, and to submit his report to the General Assembly at its fifty-ninth session;

(*b*) To request the Secretary-General to submit to the General Assembly at its fifty-ninth session a report on the rights of the child containing information on the status of the Convention and the problems addressed in the present resolution;

(*c*) To request the Special Representative of the Secretary-General for Children and Armed Conflict to continue to submit to the General Assembly, the Security Council and the Commission on Human Rights reports containing relevant information on the situation of children affected by armed conflict, taking into account the outcome document adopted by the General Assembly at its special session on children and bearing in mind existing mandates and reports of relevant bodies;

(*d*) To request the independent expert for the United Nations study on violence against children to conduct the study as soon as possible, invites Member States, United Nations bodies and organizations, including the Committee on the Rights of the Child, as well as other relevant intergovernmental organizations, to provide substantive and, where appropriate, financial support, including through voluntary contributions, for the effective conduct of the study, invites non-governmental organizations to contribute to the study, taking into account the recommendations of the Committee made following the general discussions on violence against children held in September 2000 and 2001, and encourages the independent expert to also seek the participation of children in the study, taking into account their age and maturity;

(*e*) To invite the independent expert for the United Nations study on violence against children to present an oral progress report on the study to the General Assembly at its fifty-ninth session;

(*f*) To request the Secretary-General to ensure the provision of appropriate staff and facilities from the United Nations regular budget for the effective and expeditious performance of the functions of the Committee, and invites the Committee to continue to enhance its constructive dialogue with the States parties to the Convention and its transparent and effective functioning;

(*g*) To continue its consideration of this question at its fifty-ninth session under the item entitled "Promotion and protection of the rights of children".

RESOLUTION 58/158

Adopted at the 77th plenary meeting, on 22 December 2003, without a vote, on the recommendation of the Committee (A/58/505, para. 8)[255]

58/158. International Decade of the World's Indigenous People

The General Assembly,

Recalling its resolution 57/192 of 18 December 2002 and previous resolutions on the International Decade of the World's Indigenous People, including resolution 50/157 of 21 December 1995, by which it adopted the programme of activities for the Decade,

Recalling also its resolution 40/131 of 13 December 1985, by which it established the United Nations Voluntary Fund for Indigenous Populations, and its resolution 57/191 of 18 December 2002, as a result of which the Trust Fund in Support of the Permanent Forum on Indigenous Issues was established,

Recalling further that the goal of the Decade is to strengthen international cooperation for the solution of problems faced by indigenous people in such areas as human rights, the environment, development, education and health, and that the theme of the Decade is "Indigenous people: partnership in action",

Welcoming, in this respect, the contributions to the realization of the goals of the Decade made by the Permanent Forum on Indigenous Issues at its first and second sessions, held in New York from 13 to 24 May 2002 and from 12 to 23 May 2003, respectively,

Welcoming also the contributions to the realization of the goals of the Decade made by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held at Durban, South Africa, from 31 August to 8 September 2001, and the World Summit on Sustainable

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[255] The draft resolution recommended in the report was sponsored in the Committee by: Argentina, Armenia, Australia, Austria, Belgium, Belize, Bolivia, Brazil, Burkina Faso, Canada, Central African Republic, Chile, China, Costa Rica, Croatia, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Dominica, Dominican Republic, Ecuador, El Salvador, Estonia, Finland, France, Gabon, Germany, Greece, Guatemala, Hungary, Iceland, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Mexico, Netherlands, New Zealand, Norway, Paraguay, Peru, Poland, Portugal, Russian Federation, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste and United Kingdom of Great Britain and Northern Ireland.

Development, held at Johannesburg, South Africa, from 26 August to 4 September 2002,

Welcoming further the reports of the Special Rapporteur of the Commission on Human Rights on the situation of human rights and fundamental freedoms of indigenous people, submitted to the Commission on Human Rights at its fifty-eighth[256] and fifty-ninth[257] sessions,

Recognizing the importance of consultation and cooperation with indigenous people in planning and implementing the programme of activities for the Decade, the need for adequate financial support from the international community, including support from within the United Nations system, and the need for adequate coordination and communication channels,

Urging all parties to continue to use their best efforts to achieve the goals of the Decade,

1. *Takes note* of the note by the Secretary-General transmitting the report of the United Nations High Commissioner for Human Rights on the implementation of the programme of activities for the International Decade of the World's Indigenous People;[258]

2. *Affirms its conviction* of the value and diversity of the cultures and forms of social organization of indigenous people and its conviction that the development of indigenous people within their countries will contribute to the socio-economic, cultural and environmental advancement of all the countries of the world;

3. *Emphasizes* the importance of strengthening the human and institutional capacity of indigenous people to develop their own solutions to their problems;

4. *Requests* the United Nations High Commissioner for Human Rights, as coordinator for the Decade:

(*a*) To continue to promote the objectives of the Decade, taking into account, in the fulfilment of his or her functions, the special concerns of indigenous people;

(*b*) To give due regard to the dissemination, from within existing resources and voluntary contributions, of information on the situation, cultures, languages, rights and aspirations of indigenous people and, in that context, to consider the possibility of organizing projects, special events, exhibitions and other activities addressed to the public, in particular to young people;

(*c*) To submit, through the Secretary-General, an annual report to the General Assembly on the implementation of the programme of activities for the Decade;

5. *Reaffirms* the adoption of a declaration on the rights of indigenous people as a major objective of the Decade, and underlines the importance of effective participation by indigenous representatives in the open-ended intersessional working group of the Commission on Human Rights charged with elaborating a draft declaration on the rights of indigenous people, established pursuant to Commission resolution 1995/32 of 3 March 1995;[259]

6. *Welcomes* the active consideration by the Permanent Forum on Indigenous Issues of a number of topics pertaining to the Decade, as reflected in its report to the Economic and Social Council on its second session,[260] and encourages the Forum to continue to work towards the realization of the goals of the Decade;

7. *Encourages* Governments to support the Decade by:

(*a*) Preparing relevant programmes, plans and reports in relation to the Decade, in consultation with indigenous people;

(*b*) Seeking means, in consultation with indigenous people, of giving indigenous people greater responsibility for their own affairs and an effective voice in decisions on matters that affect them;

(*c*) Establishing national committees or other mechanisms involving indigenous people to ensure that the objectives and activities of the Decade are planned and implemented on the basis of full partnership with indigenous people;

(*d*) Contributing to the following funds:

(i) The United Nations Trust Fund for the International Decade of the World's Indigenous People;

(ii) The United Nations Voluntary Fund for Indigenous Populations, in order to assist indigenous representatives in participating in the Permanent Forum on Indigenous Issues, the Working Group on Indigenous Populations of the Subcommission on the Promotion and Protection of Human Rights and the open-ended intersessional working group of the Commission on Human Rights charged with elaborating a draft declaration on the rights of indigenous people;

(iii) The Trust Fund in Support of the Permanent Forum on Indigenous Issues;

(iv) The Fund for the Development of Indigenous Peoples in Latin America and the Caribbean;

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[256] E/CN.4/2002/97 and Add.1.

[257] E/CN.4/2003/90 and Add.1–3.

[258] A/58/289.

[259] See *Official Records of the Economic and Social Council, 1995, Supplement No. 3* and corrigenda (E/1995/23 and Corr.1 and 2), chap. II, sect. A.

[260] Ibid., *2003, Supplement No. 23* (E/2003/43).

(*e*) Identifying resources for activities designed to implement the goals of the Decade, in cooperation with indigenous people and intergovernmental and non-governmental organizations;

8. *Invites* United Nations financial and development institutions, operational programmes and the specialized agencies and secretariats, as well as other regional and international organizations, in accordance with the existing procedures of their governing bodies:

(*a*) To give increased priority and resources to improving the conditions of indigenous people, with particular emphasis on the needs of those people in developing countries, inter alia, through the preparation of specific programmes of action for the implementation of the goals of the Decade, within their areas of competence;

(*b*) To launch special projects, through appropriate channels and in cooperation with indigenous people, to strengthen their community-level initiatives and to facilitate the exchange of information and expertise among indigenous people and other relevant experts;

(*c*) To designate focal points for the coordination of activities relating to the Decade with the Office of the United Nations High Commissioner for Human Rights;

and commends those institutions, programmes, agencies and regional and international organizations that have already done so;

9. *Recommends* that the Secretary-General ensure coordinated follow-up to the recommendations concerning indigenous people of relevant United Nations conferences;

10. *Requests* the United Nations High Commissioner for Human Rights to submit, through the Secretary-General, a report on the implementation of the programme of activities for the Decade to the General Assembly at its fifty-ninth session;

11. *Takes note* of Economic and Social Council decision 2003/306 of 25 July 2003 concerning the initiation of its review of the Decade, pursuant to General Assembly resolution 50/157;

12. *Decides* to include in the provisional agenda of its fifty-ninth session an item entitled "Programme of activities for the International Decade of the World's Indigenous People, 1995–2004".

RESOLUTION 58/159

Adopted at the 77th plenary meeting, on 22 December 2003, without a vote, on the recommendation of the Committee (A/58/506, para. 24)[261]

58/159. The incompatibility between democracy and racism

The General Assembly,

Guided by the Universal Declaration of Human Rights,[262] the Charter of the United Nations, the International Covenants on Human Rights[263] and the International Convention on the Elimination of All Forms of Racial Discrimination,[264]

Recalling the commitment reached in the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25 June 1993,[265] concerning the elimination of racism, racial discrimination, xenophobia and related intolerance,

Recalling also the Durban Declaration and Programme of Action, adopted by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance on 8 September 2001,[266]

Taking note of Commission on Human Rights resolution 2003/41 of 23 April 2003,[267]

Mindful of the responsibility of Governments to ensure such equality as is established in the relevant international and regional human rights instruments, inter alia, the Universal Declaration of Human Rights, the International Covenants on Human Rights and the International Convention on the Elimination of All Forms of Racial Discrimination,

Reaffirming that acts of racial violence and discrimination do not constitute legitimate expressions of opinion, but rather are offences,

Alarmed by the rise of racism, racial discrimination, xenophobia and related intolerance in political circles, in the sphere of public opinion and in society at large,

Recognizing the fundamental role of education and other active policies in the promotion of tolerance and respect for others and in the construction of pluralistic and inclusive societies,

1. *Condemns* political platforms and organizations based on racism, xenophobia or doctrines of racial superiority and related discrimination, as well as legislation and practices based on racism, racial discrimination, xenophobia and related intolerance as incompatible with democracy and transparent and accountable governance;

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[261] The draft resolution recommended in the report was sponsored in the Committee by: Andorra, Argentina, Barbados, Bolivia, Brazil, Chile, Cuba, Democratic People's Republic of Korea, Dominican Republic, Ecuador, El Salvador, Guatemala, Haiti, Kenya, Mexico, Monaco, Paraguay, Peru, Timor-Leste and Uruguay.

[262] Resolution 217 A (III).

[263] Resolution 2200 A (XXI), annex.

[264] Resolution 2106 A (XX), annex.

[265] A/CONF.157/24 (Part I), chap. III.

[266] See A/CONF.189/12 and Corr.1, chap. I.

[267] See *Official Records of the Economic and Social Council, 2003, Supplement No. 3* (E/2003/23), chap. II, sect. A.

2. *Affirms* that racism, racial discrimination, xenophobia and related intolerance condoned by governmental policies violate human rights and may endanger friendly relations among peoples, cooperation among nations, international peace and security and the harmony of persons living side by side within one and the same State;

3. *Also affirms* that any form of impunity condoned by public authorities for crimes motivated by racist and xenophobic attitudes plays a role in weakening the rule of law and democracy and tends to encourage the recurrence of such acts;

4. *Condemns* the persistence and resurgence of neo-Nazism, neo-fascism and violent nationalist ideologies based on racial or national prejudice, and states that these phenomena can never be justified in any instance or in any circumstances;

5. *Recognizes with deep concern* the increase in anti-Semitism and Islamophobia in various parts of the world, as well as the emergence of racial and violent movements based on racism and discriminatory ideas against Arab, Jewish and Muslim communities, as well as communities of people of African descent, communities of people of Asian descent and other communities;

6. *Emphasizes* that the elimination of all forms of discrimination, especially gender, ethnic and racial discrimination, as well as diverse forms of intolerance, the promotion and protection of the human rights of persons of indigenous origin and members of indigenous communities and migrants, and respect for ethnic, cultural and religious diversity contribute to strengthening and promoting democracy and political participation;

7. *Urges* States to reinforce their commitment to promote tolerance and human rights and to fight against racism, racial discrimination, xenophobia and related intolerance as a way to strengthen democracy, the rule of law and transparent and accountable governance, and in that regard recommends measures such as introducing or reinforcing human rights education in schools and in institutions of higher education;

8. *Also urges* States to ensure that their political and legal systems reflect the multicultural diversity within their societies and, where necessary, to improve democratic institutions so that they are more fully participatory and avoid marginalization and exclusion of, and discrimination against, specific sectors of society;

9. *Underlines* the key role that political leaders and political parties can and ought to play in strengthening and promoting democracy by combating racism, racial discrimination, xenophobia and related intolerance, and encourages political parties to take concrete steps to promote solidarity, tolerance and respect, inter alia, by developing voluntary codes of conduct, including internal disciplinary measures for violations thereof, so their members refrain from public statements and actions that encourage or incite racism, racial discrimination, xenophobia and related intolerance;

10. *Invites* the Inter-Parliamentary Union and other relevant inter-parliamentary organizations to encourage debate in, and action by, parliaments on various measures, including laws and policies, to combat racism, racial discrimination, xenophobia and related intolerance;

11. *Invites* the mechanisms of the Commission on Human Rights and the treaty bodies to continue to pay particular attention to violations of human rights stemming from the rise of racism and xenophobia in political circles and in society at large, with due consideration to a gender perspective, especially as regards their incompatibility with democracy;

12. *Takes note* of the report of the United Nations High Commissioner for Human Rights on the incompatibility between democracy and racism;[268]

13. *Also takes note* of the outcome of the expert seminar on the interdependence between democracy and human rights, held by the Office of the United Nations High Commissioner for Human Rights at Geneva on 25 and 26 November 2002;[269]

14. *Invites* the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance to submit to the General Assembly the study on the issue of political platforms that promote or incite racial discrimination, as requested by the Commission in its resolution 2003/41,[267] and updated and expanded as appropriate;

15. *Decides* to continue consideration of the matter at its fifty-ninth session under the item entitled "Elimination of racism and racial discrimination".

RESOLUTION 58/160

Adopted at the 77th plenary meeting, on 22 December 2003, on the recommendation of the Committee (A/58/506, para. 24),[270] by a recorded vote of 174 to 2, with 2 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Cameroon, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Cote d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of Congo, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon,

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[268] E/CN.4/2003/62 and Add.1.

[269] See E/CN.4/2003/59.

[270] The draft resolution recommended in the report was sponsored in the Committee by Mexico, and Morocco (on behalf of the States Members of the United Nations that are members of the Group of 77 and China).

Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: Israel, United States of America

Abstaining: Australia, Canada

58/160. Global efforts for the total elimination of racism, racial discrimination, xenophobia and related intolerance and the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action

The General Assembly,

Recalling its resolution 56/266 of 27 March 2002, in which it endorsed the Durban Declaration and Programme of Action, adopted by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held at Durban, South Africa, from 31 August to 8 September 2001,[271] as constituting a solid foundation for further action and initiatives towards the total elimination of the scourge of racism,

Recalling also its resolution 57/195 of 18 December 2002, in which it outlined the important roles and responsibilities of the various organs of the United Nations and other stakeholders at the international, regional and national levels, including, in particular, the Commission on Human Rights,

Taking note of Commission on Human Rights resolutions 2002/68 of 25 April 2002[272] and 2003/30 of 23 April 2003,[273]

Stressing that the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25 June 1993,[274] attaches importance to the elimination of racism, racial discrimination, xenophobia and other forms of intolerance,

Recognizing that racism, racial discrimination, xenophobia and related intolerance occur on the grounds of race, colour, descent or national or ethnic origin and that victims can suffer multiple or aggravated forms of discrimination based on other related grounds such as sex, language, religion, political and other opinion, social origin, property, birth and other status,

Reiterating that all human beings are born free and equal in dignity and rights and have the potential to contribute constructively to the development and well-being of their societies, and that any doctrine of racial superiority is scientifically false, morally condemnable, socially unjust and dangerous and must be rejected, together with theories that attempt to determine the existence of separate human races,

Reaffirming its commitment to a global drive for the total elimination of racism, racial discrimination, xenophobia and related intolerance,

Reaffirming that universal adherence to and full implementation of the International Convention on the Elimination of All Forms of Racial Discrimination[275] are of paramount importance for the promotion of equality and non-discrimination in the world,

Convinced that racism, racial discrimination, xenophobia and related intolerance reveal themselves in a differentiated manner for women and girls and may be among the factors leading to a deterioration in their living conditions, poverty, violence, multiple forms of discrimination and the limitation or denial of their human rights, and recognizing the need to integrate a gender perspective into relevant policies, strategies and programmes of action against racism, racial discrimination, xenophobia and related intolerance in order to address multiple forms of discrimination,

Reaffirming its firm determination and its commitment to eradicate totally and unconditionally racism and racial discrimination, and its conviction that racism and racial discrimination constitute a negation of the purposes and principles of the Charter of the United Nations and the Universal Declaration of Human Rights,[276]

Recognizing that the successful implementation of the Durban Programme of Action requires political will, international cooperation and adequate funding at the national, regional and international levels,

Deeply concerned that, despite continuing efforts, racism, racial discrimination, xenophobia and related intolerance and acts of violence persist and even grow in magnitude, incessantly adopting new forms, including tendencies to establish policies based on racial, religious, ethnic, cultural and national superiority or exclusivity,

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[271] See A/CONF.189/12 and Corr.1, chap. I.

[272] See *Official Records of the Economic and Social Council, 2002, Supplement No. 3* (E/2002/23), chap. II, sect. A.

[273] Ibid., *2003, Supplement No. 3* (E/2003/23), chap. II, sect. A.

[274] A/CONF.157/24 (Part I), chap. III.

[275] Resolution 2106 A (XX), annex.

[276] Resolution 217 A (III).

Alarmed, in particular, at the increase in racist violence and xenophobic ideas in many parts of the world, in political circles, in the sphere of public opinion and in society at large, inter alia, as a result of the resurgent activities of associations established on the basis of racist and xenophobic platforms and charters, and the persistent use of those platforms and charters to promote or incite racist ideologies,

Underlining the importance of urgently eliminating continuing and violent trends involving racism and racial discrimination, and conscious that any form of impunity for crimes motivated by racist and xenophobic attitudes plays a role in weakening the rule of law and democracy, tends to encourage the recurrence of such crimes and requires resolute action and cooperation for its eradication,

Recognizing that States should implement and enforce appropriate and effective legislative, judicial, regulatory and administrative measures to prevent and protect against acts of racism, racial discrimination, xenophobia and related intolerance, thereby contributing to the prevention of human rights violations,

Emphasizing that poverty, underdevelopment, marginalization, social exclusion and economic disparities are closely associated with racism, racial discrimination, xenophobia and related intolerance and contribute to the persistence of racist attitudes and practices, which in turn generate more poverty,

Deeply concerned about the misuse, by those advocating racism and racial discrimination, of new communication technologies, including the Internet, to disseminate their repugnant views,

Noting that the use of such technologies can also contribute to combating racism, racial discrimination, xenophobia and related intolerance,

Noting also developments that have occurred within the framework of the Commission on Human Rights through its intersessional working groups and other mechanisms created for the effective implementation of the Durban Declaration and Programme of Action, in particular the work of the group of independent eminent experts, the Working Group of Experts on People of African Descent and the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action,

Welcoming all the regional initiatives being undertaken to implement the Durban commitments, and in this context expressing its appreciation to the Governments of Mexico, Kenya and the Czech Republic for hosting the regional expert seminars with a view to the implementation of the Durban Declaration and Programme of Action within their respective regions, and encouraging other regions to take the necessary action in this regard,

I

Basic general principles

1. *Acknowledges* that no derogation from the prohibition of racial discrimination, genocide, the crime of apartheid or slavery is permitted, as defined in the obligations under the relevant human rights instruments;

2. *Expresses its profound concern about and its unequivocal condemnation* of all forms of racism and racial discrimination, including related acts of racially motivated violence, xenophobia and intolerance, as well as propaganda activities and organizations that attempt to justify or promote racism, racial discrimination, xenophobia and related intolerance in any form;

3. *Affirms* that racism and racial discrimination, and xenophobia and related intolerance, where they amount to racism and racial discrimination, constitute serious violations of and obstacles to the full enjoyment of all human rights;

4. *Stresses* that States and international organizations have a responsibility to ensure that measures taken in the struggle against terrorism do not discriminate in purpose or effect on grounds of race, colour, descent or national or ethnic origin, and urges all States to rescind or refrain from all forms of racial profiling;

5. *Recognizes* that States should implement and enforce appropriate and effective legislative, judicial, regulatory and administrative measures to prevent and protect against acts of racism, racial discrimination, xenophobia and related intolerance, thereby contributing to the prevention of human rights violations;

6. *Emphasizes* that it is the responsibility of States to adopt effective measures to combat criminal acts motivated by racism, racial discrimination, xenophobia and related intolerance, including measures to ensure that such motivations are considered an aggravating factor for the purposes of sentencing, to prevent those crimes from going unpunished and to ensure the rule of law;

7. *Urges* all States to review and, where necessary, revise their immigration laws, policies and practices so that they are free of racial discrimination and compatible with their obligations under international human rights instruments;

8. *Condemns* the misuse of print, audio-visual and electronic media and new communication technologies, including the Internet, to incite violence motivated by racial hatred, and calls upon States to take all necessary measures to combat this form of racism in accordance with the commitments that they have undertaken under the Durban Declaration and Programme of Action,[271] in particular paragraph 147 of the

Programme of Action, in accordance with existing international and regional standards of freedom of expression and taking all necessary measures to guarantee the right to freedom of opinion and expression;

9. *Condemns also* political platforms and organizations based on racism, xenophobia or doctrines of racial superiority and related discrimination, as well as legislation and practices based on racism, racial discrimination, xenophobia and related intolerance as incompatible with democracy and transparent and accountable governance;

10. *Encourages* all States to include in their educational curricula and social programmes at all levels, as appropriate, knowledge of and tolerance and respect for foreign cultures, peoples and countries;

11. *Stresses* the responsibility of States to mainstream a gender perspective in the design and development of prevention, education and protection measures aimed at the eradication of racism, racial discrimination, xenophobia and related intolerance at all levels, to ensure that they effectively target the distinct situations of women and men;

12. *Expresses its concern* at the increasing incidents of racism in various sporting events;

13. *Notes with appreciation* the efforts being made by some sporting governing bodies to combat racism, and encourages other such bodies to take similar actions;

II

International Convention on the Elimination of All Forms of Racial Discrimination

14. *Urges* States that have not yet done so to consider ratifying or acceding to the international human rights instruments that combat racism, racial discrimination, xenophobia and related intolerance, in particular to accede to the International Convention on the Elimination of All Forms of Racial Discrimination[275] as a matter of urgency, with a view to achieving universal ratification by 2005, and to consider making the declaration envisaged under article 14 thereof, to comply with their reporting obligations, to publish and act upon the concluding observations of the Committee on the Elimination of Racial Discrimination, to withdraw reservations contrary to the object and purpose of the Convention and to consider withdrawing other reservations;

15. *Invites* States parties to the Convention to ratify the amendment to article 8 of the Convention, on the financing of the Committee on the Elimination of Racial Discrimination, and calls for adequate additional resources from the United Nations regular budget to enable the Committee to discharge its mandate fully;

16. *Urges* all States parties to the Convention to intensify their efforts to implement the obligations that they have accepted under article 4 of the Convention, with due regard to the principles of the Universal Declaration of Human Rights[276] and article 5 of the Convention;

17. *Notes* that the Committee on the Elimination of Racial Discrimination holds that the prohibition of the dissemination of ideas based on racial superiority or racial hatred is compatible with the right to freedom of opinion and expression as outlined in article 19 of the Universal Declaration of Human Rights and in article 5 of the Convention;

18. *Welcomes* the emphasis placed by the Committee on the Elimination of Racial Discrimination on the importance of follow-up to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance and the measures recommended to strengthen the implementation of the Convention as well as the functioning of the Committee;[277]

III

Comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action

19. *Emphasizes* that the basic responsibility for effectively combating racism, racial discrimination, xenophobia and related intolerance lies with States, and to this end stresses that States have the primary responsibility to ensure full and effective implementation of all commitments and recommendations contained in the Durban Declaration and Programme of Action;[271]

20. *Also emphasizes*, in that context, the fundamental and complementary role of national human rights institutions, regional bodies and centres and civil society, working jointly with States towards the achievement of the objectives of the Durban Declaration and Programme of Action;

21. *Calls upon* States to elaborate action plans, in consultation with national human rights institutions, other institutions created by law to combat racism, and civil society, and to provide the United Nations High Commissioner for Human Rights with such action plans and other relevant materials on measures taken to implement the provisions of the Durban Declaration and Programme of Action;

22. *Calls upon* all States to formulate and implement without delay, at the national, regional and international levels, policies and plans of action to combat racism, racial discrimination, xenophobia and related intolerance, including their gender-based manifestations;

23. *Urges* States to support the activities of existing regional bodies and centres that combat racism, racial

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[277] See *Official Records of the General Assembly, Fifty-seventh Session, Supplement No. 18* (A/57/18), chap. XI.

discrimination, xenophobia and related intolerance in their respective regions, and recommends the establishment of such bodies or centres in all regions where they do not exist;

24. *Recognizes* the fundamental role of civil society in the fight against racism, racial discrimination, xenophobia and related intolerance, in particular in assisting States to develop regulations and strategies, in taking measures and action against such forms of discrimination and through follow-up implementation;

25. *Emphasizes* that, in accordance with the Durban Declaration and Programme of Action, States have a shared responsibility, at the international level and within the framework of the United Nations system, to determine modalities for the overall review of the implementation of the Declaration and Programme of Action;

26. *Stresses and reaffirms* its role as the highest intergovernmental mechanism for the formulation and appraisal of policy on matters related to the economic, social and related fields, in accordance with Chapter IX of the Charter of the United Nations, including in the comprehensive implementation of and follow-up to the goals and targets set at all the major United Nations conferences, summits and special sessions;

27. *Acknowledges* that the outcome of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance is on an equal footing with the outcomes of all the major United Nations conferences, summits and special sessions in the human rights and social fields;

28. *Invites* all relevant organs, organizations and bodies of the United Nations system to become involved in the follow-up to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, and invites specialized agencies and related organizations of the United Nations system to strengthen and adjust, within their respective mandates, their activities, programmes and medium-term strategies to take into account the follow-up to the Conference;

29. *Invites* all human rights treaty-monitoring bodies and all mechanisms and subsidiary bodies of the Commission on Human Rights to consider the relevant provisions of the Durban Declaration and Programme of Action in the discharge of their respective mandates;

30. *Reaffirms* that the Economic and Social Council shall oversee the system-wide coordination of the implementation of the Durban Declaration and Programme of Action;

31. *Takes note* of the recommendations adopted by consensus by the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action at its first session, on 21 March 2003;[278]

32. *Notes* that the Working Group will continue its future sessions on the basis of the thematic approach adopted during its first session, and notes with appreciation that to this end the next session of the Working Group, which the representative of Chile has expressed interest in chairing, will analyse the themes relating to poverty eradication and education;

33. *Also notes* the convening of the sessions of the Working Group of Experts on People of African Descent, the renewal of its mandate and the adjustments effected thereto;

34. *Welcomes* the inaugural session of the group of independent eminent experts, held at Geneva from 16 to 18 September 2003, with the participation of representatives of Member States, the United Nations system and civil society, takes note of its substantive outcome, and in this context requests the United Nations High Commissioner for Human Rights to examine the possibility of the development of a racial equality index, as proposed by the group of independent eminent experts, and to report thereon to the Commission on Human Rights;

35. *Acknowledges with appreciation* the entry into force of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families[279] on 1 July 2003, and invites all States that have not yet done so to consider acceding to that important instrument;

36. *Notes with satisfaction* the progress made during the first and second sessions of the Ad Hoc Committee on a Comprehensive and Integral International Convention on the Protection and Promotion of the Rights and Dignity of Persons with Disabilities, held in New York from 29 July to 9 August 2002 and from 16 to 27 June 2003;

37. *Notes with appreciation* the first and second sessions of the Permanent Forum on Indigenous Issues, held in New York from 13 to 24 May 2002 and from 12 to 23 May 2003;

38. *Stresses* the need to ensure adequate financial and human resources, including through the regular budget of the United Nations, for the Office of the United Nations High Commissioner for Human Rights to carry out its responsibilities efficiently in the implementation of the Durban Declaration and Programme of Action;

39. *Encourages* improvements in the current efforts of the Anti-Discrimination Unit of the Office of the High Commissioner in providing strong leadership and greater support to the mechanisms created by the Commission on Human Rights to follow up the implementation of the Durban Declaration and Programme of Action;

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[278] See E/CN.4/2003/20, sect. III, para. 33.

[279] Resolution 45/158, annex.

IV

Implementation of the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination and coordination of activities

40. *Notes with great concern* that, despite the many efforts of the international community, the objectives of the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination have largely not been achieved, welcomes, therefore, the adoption of the Durban Declaration and Programme of Action,[271] and calls for its full implementation at the national, regional and international levels;

41. *Decides*, after considering the report of the Secretary-General on the extent of the implementation of the Programme of Action for the Third Decade,[280] to close the Third Decade;

42. *Also decides*, as part of the activities to combat racism, racial discrimination, xenophobia and related intolerance, to place emphasis on the concrete implementation of the Durban Declaration and Programme of Action as a solid foundation for a broad-based consensus for further actions and initiatives towards the total elimination of the scourge of racism;

V

Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance and follow-up to his visits

43. *Expresses its full support and appreciation* for the work of the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, and encourages its continuation;

44. *Reiterates its call* to all Member States, intergovernmental organizations, relevant organizations of the United Nations and non-governmental organizations to cooperate fully with the Special Rapporteur;

45. *Requests* the Special Rapporteur to continue his exchange of views with Member States and relevant mechanisms and treaty bodies within the United Nations system in order to enhance further their effectiveness and mutual cooperation;

46. *Recognizes with deep concern* the increase in anti-Semitism, Christianophobia and Islamophobia in various parts of the world, as well as the emergence of racial and violent movements based on racism and discriminatory ideas directed against Arab, Christian, Jewish and Muslim communities, communities of people of African descent, communities of people of Asian descent and other communities;

47. *Requests* the Special Rapporteur to collect information from all concerned, to respond effectively to reliable information that becomes available to him, to follow up on communications and country visits and to seek the views and comments of Governments and reflect them, as appropriate, in his reports;

48. *Calls upon* States to cooperate with the Special Rapporteur and to give serious consideration to his requests to visit their countries so as to enable him to fulfil his mandate fully and effectively;

49. *Encourages* closer collaboration between the Special Rapporteur and the Office of the United Nations High Commissioner for Human Rights, in particular the Anti-Discrimination Unit;

50. *Urges* the United Nations High Commissioner for Human Rights to provide States, at their request, with advisory services and technical assistance to enable them to implement fully the recommendations of the Special Rapporteur;

51. *Requests* the Secretary-General to provide the Special Rapporteur with all the necessary human and financial assistance to carry out his mandate efficiently, effectively and expeditiously and to enable him to submit an interim report to the General Assembly at its fifty-ninth session;

52. *Takes note with appreciation* of the recommendations contained in the interim report of the Special Rapporteur,[281] and encourages the continuation of his work;

53. *Urges* Member States to consider implementing the recommendations contained in the reports of the Special Rapporteur, and invites other relevant stakeholders to implement those recommendations;

54. *Calls upon* the Special Rapporteur, in carrying out his mandate, to pay special attention to the increasing frequency of incidents of racism at various sporting events;

VI

General

55. *Requests* the Secretary-General to submit a report on the implementation of the present resolution to the General Assembly at its fifty-ninth session;

56. *Decides* to remain seized of this important matter at its fifty-ninth session under the item entitled "Elimination of racism and racial discrimination".

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[280] See A/58/80-E/2003/71.

[281] See A/58/313.

RESOLUTION 58/161

Adopted at the 77th plenary meeting, on 22 December 2003, on the recommendation of the Committee (A/58/507, para. 25),[282] by a recorded vote of 109 to 3, with 61 abstentions, as follows:

In favour: Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Cameroon, Canada, Central African Republic, Chile, China, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Gabon, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Haiti, Honduras, Iran (Islamic Republic of), Ireland, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, New Zealand, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Portugal, Qatar, Republic of Korea, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Sierra Leone, Singapore, Solomon Islands, South Africa, Sudan, Syrian Arab Republic, Thailand, Togo, Tunisia, Turkey, Turkmenistan, United Arab Emirates, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: Bhutan, India, Mauritius

Abstaining: Andorra, Belarus, Belgium, Burundi, Colombia, Comoros, Cyprus, Czech Republic, Denmark, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Guyana, Hungary, Iceland, Indonesia, Israel, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malawi, Maldives, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Namibia, Nauru, Netherlands, Norway, Palau, Poland, Republic of Moldova, Romania, Russian Federation, Rwanda, San Marino, Senegal, Serbia and Montenegro, Slovakia, Spain, Sri Lanka, Suriname, Sweden, Switzerland, Tajikistan, the former Yugoslav Republic of Macedonia, Tonga, Trinidad and Tobago, Tuvalu, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America

58/161. Universal realization of the right of peoples to self-determination

The General Assembly,

Reaffirming the importance, for the effective guarantee and observance of human rights, of the universal realization of the right of peoples to self-determination enshrined in the Charter of the United Nations and embodied in the International Covenants on Human Rights,[283] as well as in the Declaration on the Granting of Independence to Colonial Countries and Peoples contained in General Assembly resolution 1514 (XV) of 14 December 1960,

Welcoming the progressive exercise of the right to self-determination by peoples under colonial, foreign or alien occupation and their emergence into sovereign statehood and independence,

Deeply concerned at the continuation of acts or threats of foreign military intervention and occupation that are threatening to suppress, or have already suppressed, the right to self-determination of peoples and nations,

Expressing grave concern that, as a consequence of the persistence of such actions, millions of people have been and are being uprooted from their homes as refugees and displaced persons, and emphasizing the urgent need for concerted international action to alleviate their condition,

Recalling the relevant resolutions regarding the violation of the right of peoples to self-determination and other human rights as a result of foreign military intervention, aggression and occupation, adopted by the Commission on Human Rights at its fifty-ninth[284] and previous sessions,

Reaffirming its previous resolutions on the universal realization of the right of peoples to self-determination, including resolution 57/197 of 18 December 2002,

Reaffirming also its resolution 55/2 of 8 September 2000, containing the United Nations Millennium Declaration, which, inter alia, upholds the right to self-determination of peoples under colonial domination and foreign occupation,

Taking note of the report of the Secretary-General on the right of peoples to self-determination,[285]

1. *Reaffirms* that the universal realization of the right of all peoples, including those under colonial, foreign and alien domination, to self-determination is a fundamental condition for the effective guarantee and observance of human rights and for the preservation and promotion of such rights;

2. *Declares its firm opposition* to acts of foreign military intervention, aggression and occupation, since these have resulted in the suppression of the right of peoples to self-determination and other human rights in certain parts of the world;

3. *Calls upon* those States responsible to cease immediately their military intervention in and occupation of foreign countries and territories and all acts of repression, discrimination, exploitation and maltreatment, in particular the brutal and inhuman methods reportedly employed for the execution of those acts against the peoples concerned;

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[282] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Armenia, Azerbaijan, Bahrain, Bangladesh, Bosnia and Herzegovina, Brunei Darussalam, Burkina Faso, Cameroon, Comoros, Democratic Republic of the Congo, Egypt, El Salvador, Eritrea, Iran (Islamic Republic of), Iraq, Kuwait, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritania, Mozambique, Niger, Nigeria, Oman, Pakistan, Qatar, Saint Lucia, Saudi Arabia, Singapore, Somalia, Suriname, Thailand, Togo, United Arab Emirates, Viet Nam, Zambia and Zimbabwe.

[283] Resolution 2200 A (XXI), annex.

[284] See *Official Records of the Economic and Social Council, 2003, Supplement No. 3* (E/2003/23), chap. II, sect. A.

[285] A/58/180.

4. *Deplores* the plight of millions of refugees and displaced persons who have been uprooted as a result of the aforementioned acts, and reaffirms their right to return to their homes voluntarily in safety and honour;

5. *Requests* the Commission on Human Rights to continue to give special attention to the violation of human rights, especially the right to self-determination, resulting from foreign military intervention, aggression or occupation;

6. *Requests* the Secretary-General to report on this question to the General Assembly at its fifty-ninth session under the item entitled "Right of peoples to self-determination".

RESOLUTION 58/162

Adopted at the 77th plenary meeting, on 22 December 2003, on the recommendation of the Committee (A/58/507, para. 25),[286] by a recorded vote of 125 to 26, with 29 abstentions, as follows:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Marshall Islands, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, South Africa, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: Albania, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Czech Republic, Denmark, Estonia, Finland, France, Germany, Hungary, Iceland, Israel, Italy, Japan, Lithuania, Luxembourg, Micronesia (Federated States of), Monaco, Netherlands, Norway, Poland, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Andorra, Australia, Austria, Croatia, Cyprus, Georgia, Greece, Ireland, Kazakhstan, Latvia, Liechtenstein, Malta, Nauru, New Zealand, Palau, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Spain, Switzerland, the former Yugoslav Republic of Macedonia, Tonga, Turkey, Uzbekistan

58/162. Use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination

The General Assembly,

Recalling its resolution 57/196 of 18 December 2002, and taking note of Commission on Human Rights resolution 2003/2 of 14 April 2003,[287]

Recalling also all of its relevant resolutions, in which, inter alia, it condemned any State that permitted or tolerated the recruitment, financing, training, assembly, transit and use of mercenaries with the objective of overthrowing the Governments of States Members of the United Nations, especially those of developing countries, or of fighting against national liberation movements, and recalling further the relevant resolutions and international instruments adopted by the Security Council, the Economic and Social Council and the Organization of African Unity, inter alia, the Organization of African Unity Convention for the elimination of mercenarism in Africa,[288]

Reaffirming the purposes and principles enshrined in the Charter of the United Nations concerning the strict observance of the principles of sovereign equality, political independence, the territorial integrity of States, the self-determination of peoples, the non-use of force or of the threat of use of force in international relations and non-interference in affairs within the domestic jurisdiction of States,

Reaffirming also that, by virtue of the principle of self-determination, all peoples have the right freely to determine their political status and to pursue their economic, social and cultural development, and that every State has the duty to respect this right in accordance with the provisions of the Charter,

Reaffirming further the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations,[289]

Alarmed and concerned at the danger that the activities of mercenaries constitute to peace and security in developing countries, in particular in Africa and in small States,

Deeply concerned at the loss of life, the substantial damage to property and the negative effects on the policy and economies of affected countries resulting from criminal mercenary activities,

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[286] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Angola, Benin, Burundi, Cambodia, China, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Gambia, Ghana, Guinea-Bissau, India, Iran (Islamic Republic of), Kenya, Lao People's Democratic Republic, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Myanmar, Namibia, Nigeria, Pakistan, Peru, Russian Federation, Sudan, Suriname, Swaziland, Syrian Arab Republic, Togo, United Republic of Tanzania, Viet Nam, Zambia and Zimbabwe.

[287] See *Official Records of the Economic and Social Council, 2003, Supplement No. 3* (E/2003/23), chap. II, sect. A.

[288] United Nations, *Treaty Series*, vol. 1490, No. 25573.

[289] Resolution 2625 (XXV), annex.

Convinced that, notwithstanding the way in which they are used or the form that they take to acquire some semblance of legitimacy, mercenaries or mercenary-related activities are a threat to peace, security and the self-determination of peoples and an obstacle to the enjoyment of human rights by peoples,

1. *Welcomes* the report of the Special Rapporteur of the Commission on Human Rights on the question of the use of mercenaries as a means of impeding the exercise of the right of peoples to self-determination;[290]

2. *Reaffirms* that the use of mercenaries and their recruitment, financing and training are causes for grave concern to all States and violate the purposes and principles enshrined in the Charter of the United Nations;

3. *Recognizes* that armed conflict, terrorism, arms trafficking and covert operations by third Powers, inter alia, encourage the demand for mercenaries on the global market;

4. *Urges* all States to take the necessary steps and to exercise the utmost vigilance against the menace posed by the activities of mercenaries and to take legislative measures to ensure that their territories and other territories under their control, as well as their nationals, are not used for the recruitment, assembly, financing, training and transit of mercenaries for the planning of activities designed to impede the right of peoples to self-determination, to destabilize or overthrow the Government of any State or to dismember or impair, totally or in part, the territorial integrity or political unity of sovereign and independent States conducting themselves in compliance with the right of peoples to self-determination;

5. *Requests* all States to exercise the utmost vigilance against any kind of recruitment, training, hiring or financing of mercenaries by private companies offering international military consultancy and security services, as well as to impose a specific ban on such companies intervening in armed conflicts or actions to destabilize constitutional regimes;

6. *Welcomes* the entry into force of the International Convention against the Recruitment, Use, Financing and Training of Mercenaries,[291] and calls upon all States that have not yet done so to consider taking the necessary action to accede to or ratify the Convention;

7. *Welcomes also* the cooperation extended by those countries that have received visits from the Special Rapporteur;

8. *Welcomes further* the adoption by some States of national legislation that restricts the recruitment, assembly, financing, training and transit of mercenaries;

9. *Calls upon* States to investigate the possibility of mercenary involvement whenever and wherever criminal acts of a terrorist nature occur and to bring to trial those found responsible or to consider their extradition, if so requested, in accordance with domestic law and applicable bilateral or international treaties;

10. *Welcomes* the organization, in Geneva from 13 to 17 May 2002, in compliance with General Assembly resolution 56/232 of 24 December 2001, of the second meeting of experts on traditional and new forms of mercenary activities as a means of violating human rights and impeding the exercise of the right of peoples to self-determination, and takes note of its conclusions;[292]

11. *Takes note with appreciation* of the proposal for an enhanced legal definition of mercenaries contained in the report of the Special Rapporteur, and requests the Secretary-General to circulate it to the Member States and to seek their views in order to include them in the report of the Special Rapporteur to the General Assembly at its fifty-ninth session;

12. *Requests* the Office of the United Nations High Commissioner for Human Rights, as a matter of priority, to publicize the adverse effects of the activities of mercenaries on the right of peoples to self-determination and, when requested and where necessary, to render advisory services to States that are affected by those activities;

13. *Requests* the Special Rapporteur to continue to take into account, in the discharge of his mandate, the fact that mercenary activities continue to occur in many parts of the world and are taking on new forms, manifestations and modalities;

14. *Recommends* that the Commission on Human Rights renew the mandate of the Special Rapporteur for a period of three years;

15. *Urges* all States to cooperate fully with the Special Rapporteur in the fulfilment of his mandate;

16. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to provide the Special Rapporteur with all the necessary assistance and support for the fulfilment of his mandate, both professional and financial, including through the promotion of cooperation between the Special Rapporteur and other components of the United Nations system that deal with countering mercenary-related activities;

17. *Requests* the Special Rapporteur to consult States and intergovernmental and non-governmental organizations in the implementation of the present resolution and to report, with specific recommendations, to the General Assembly at its

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[290] See A/58/115.

[291] Resolution 44/34, annex.

[292] See E/CN.4/2003/4.

fifty-ninth session his findings on the use of mercenaries to undermine the right of peoples to self-determination;

18. *Decides* to consider at its fifty-ninth session the question of the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination under the item entitled "Right of peoples to self-determination".

RESOLUTION 58/163

Adopted at the 77th plenary meeting, on 22 December 2003, on the recommendation of the Committee (A/58/507, para. 25),[293] by a recorded vote of 169 to 5, with no abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Finland, France, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Sweden, Switzerland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: Israel, Marshall Islands, Micronesia (Federated States of), Palau, United States of America

Abstaining: None

58/163. The right of the Palestinian people to self-determination

The General Assembly,

Aware that the development of friendly relations among nations, based on respect for the principle of equal rights and self-determination of peoples, is among the purposes and principles of the United Nations, as defined in the Charter,

Recalling the International Covenants on Human Rights,[294] the Universal Declaration of Human Rights,[295] the Declaration on the Granting of Independence to Colonial Countries and Peoples[296] and the Vienna Declaration and Programme of Action adopted at the World Conference on Human Rights on 25 June 1993,[297]

Recalling also the Declaration on the Occasion of the Fiftieth Anniversary of the United Nations,[298]

Recalling further the United Nations Millennium Declaration,[299]

Expressing the urgent need for the resumption of negotiations within the Middle East peace process on its agreed basis and for the speedy achievement of a final settlement between the Palestinian and Israeli sides,

Affirming the right of all States in the region to live in peace within secure and internationally recognized borders,

1. *Reaffirms* the right of the Palestinian people to self-determination, including the right to their independent State of Palestine;

2. *Urges* all States and the specialized agencies and organizations of the United Nations system to continue to support and assist the Palestinian people in the early realization of their right to self-determination.

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[293] The draft resolution recommended in the report was sponsored in the Committee by: Afghanistan, Algeria, Andorra, Antigua and Barbuda, Armenia, Austria, Azerbaijan, Bahrain, Bangladesh, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cape Verde, Chile, China, Comoros, Congo, Croatia, Cuba, Cyprus, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Ecuador, Egypt, Eritrea, Estonia, Ethiopia, Finland, France, Gambia, Germany, Greece, Guinea-Bissau, Guyana, Hungary, Iceland, India, Indonesia, Ireland, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Mali, Malta, Mauritania, Monaco, Morocco, Mozambique, Namibia, Netherlands, Niger, Nigeria, Norway, Oman, Pakistan, Poland, Portugal, Qatar, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Saudi Arabia, Senegal, Sierra Leone, Slovakia, Slovenia, Somalia, South Africa, Spain, Sudan, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Tunisia, Turkey, Ukraine, United Arab Emirates, United Republic of Tanzania, Viet Nam, Yemen, Zambia, Zimbabwe and Palestine.

[294] Resolution 2200 A (XXI), annex.

[295] Resolution 217 A (III).

[296] Resolution 1514 (XV).

[297] A/CONF.157/24 (Part I), chap. III.

[298] See resolution 50/6.

[299] See resolution 55/2.

RESOLUTION 58/164

Adopted at the 77th plenary meeting, on 22 December 2003, without a vote, on the recommendation of the Committee (A/58/508/Add.1 and Corr.1, para. 23)[300]

58/164. Torture and other cruel, inhuman or degrading treatment or punishment

The General Assembly,

Recalling article 5 of the Universal Declaration of Human Rights,[301] article 7 of the International Covenant on Civil and Political Rights,[302] the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment[303] and its resolution 39/46 of 10 December 1984, by which it adopted and opened for signature, ratification and accession the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,

Recalling also that freedom from torture and other cruel, inhuman or degrading treatment or punishment is a non-derogable right that must be protected under all circumstances, including in times of internal or international disturbance or armed conflict, and that the prohibition of torture is explicitly affirmed in all relevant international instruments,

Recalling further all previous resolutions or decisions on torture and other cruel, inhuman or degrading treatment or punishment of the General Assembly, the Economic and Social Council and the Commission on Human Rights, in particular Assembly resolution 57/200 of 18 December 2002 and Commission resolution 2003/32 of 23 April 2003,[304]

Recalling the recommendation contained in the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993[305] that high priority should be given to providing the necessary resources to assist victims of torture and effective remedies for their physical, psychological and social rehabilitation, inter alia, through additional contributions to the United Nations Voluntary Fund for Victims of Torture,

Noting with satisfaction the existence of a considerable international network of centres for the rehabilitation of victims of torture, which plays an important role in providing assistance to victims of torture, and the collaboration of the Fund with the centres,

Commending the persistent efforts by non-governmental organizations to combat torture and to alleviate the suffering of victims of torture,

Mindful of its proclamation, in its resolution 52/149 of 12 December 1997, of 26 June as the United Nations International Day in Support of Victims of Torture,

1. *Condemns* all forms of torture, including through intimidation, as described in article 1 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;

2. *Urges* all Governments to promote the full implementation of the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[305] and stresses in particular that all allegations of torture or other cruel, inhuman or degrading treatment or punishment should be promptly and impartially examined by the competent national authority, that those who encourage, order, tolerate or perpetrate acts of torture must be held responsible and severely punished, including the officials in charge of the place of detention where the prohibited act is found to have been committed, and that national legal systems should ensure that the victims of such acts obtain redress, are awarded fair and adequate compensation and receive appropriate social and medical rehabilitation, and encourages the development of rehabilitation centres for victims of torture;

3. *Takes note* of the Principles on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment annexed to its resolution 55/89 of 4 December 2000 as a useful tool in efforts to combat torture;

4. *Urges* Governments to take effective measures to provide redress and to prevent torture and other cruel, inhuman or degrading treatment or punishment, including their gender-based manifestations;

5. *Stresses* that, under article 4 of the Convention, torture must be made an offence under domestic criminal law,

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[300] The draft resolution recommended in the report was sponsored in the Committee by: Afghanistan, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bangladesh, Belarus, Belgium, Benin, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Burkina Faso, Burundi, Cameroon, Canada, Cape Verde, Chile, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Eritrea, Estonia, Ethiopia, Finland, France, Germany, Ghana, Greece, Guatemala, Hungary, Iceland, Ireland, Italy, Japan, Jordan, Kenya, Latvia, Lesotho, Liechtenstein, Lithuania, Luxembourg, Malawi, Mali, Malta, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Mozambique, Namibia, Netherlands, New Zealand, Nicaragua, Niger, Norway, Panama, Paraguay, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Senegal, Serbia and Montenegro, Sierra Leone, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela and Zambia.

[301] Resolution 217 A (III).

[302] See resolution 2200 A (XXI), annex.

[303] Resolution 3452 (XXX), annex.

[304] See *Official Records of the Economic and Social Council, 2003, Supplement No. 3* (E/2003/23), chap. II, sect. A.

[305] A/CONF.157/24 (Part I), chap. III.

and emphasizes that acts of torture are serious violations of international humanitarian law and that the perpetrators are liable to prosecution and punishment;

6. *Notes with appreciation* that one hundred and thirty-four States have become parties to the Convention, and urges all States that have not yet done so to become parties to the Convention as a matter of priority;

7. *Invites* all States ratifying or acceding to the Convention and those States that are parties to the Convention and have not yet done so to consider joining the States parties that have already made the declarations provided for in articles 21 and 22 of the Convention and to consider the possibility of withdrawing their reservations to article 20;

8. *Urges* all States parties to the Convention to notify the Secretary-General of their acceptance of the amendments to articles 17 and 18 of the Convention as soon as possible;

9. *Urges* States parties to comply strictly with their obligations under the Convention, including, in view of the high number of reports not submitted, their obligation to submit reports in accordance with article 19 of the Convention, and invites States parties to incorporate a gender perspective and information concerning children and juveniles when submitting reports to the Committee against Torture;

10. *Emphasizes* the obligation of States parties under article 10 of the Convention to ensure education and training for personnel who may be involved in the custody, interrogation or treatment of any individual subjected to any form of arrest, detention or imprisonment;

11. *Stresses*, in this context, that States must not punish personnel referred to in paragraph 10 above for not obeying orders to commit or conceal acts amounting to torture or other cruel, inhuman or degrading treatment or punishment;

12. *Calls upon* States parties to consider signing and ratifying the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, adopted by the General Assembly in its resolution 57/199 of 18 December 2002, which provides further measures for use in the fight against and the prevention of torture, and notes in this context that ratifications by twenty States parties are required for the Optional Protocol to enter into force, and that twenty-one States have already signed the Protocol and two States have ratified it;

13. *Calls upon* all Governments to take appropriate effective legislative, administrative, judicial or other measures to prevent and prohibit the production, trade, export and use of equipment that is specifically designed to inflict torture or other cruel, inhuman or degrading treatment;

14. *Welcomes* the work of the Committee against Torture and the report of the Committee,[306] submitted in accordance with article 24 of the Convention;

15. *Calls upon* the United Nations High Commissioner for Human Rights, in conformity with his mandate established in General Assembly resolution 48/141 of 20 December 1993, to continue to provide, at the request of Governments, advisory services for the preparation of national reports to the Committee and for the prevention of torture, as well as technical assistance in the development, production and distribution of teaching material for this purpose;

16. *Urges* States parties to take fully into account the conclusions and recommendations made by the Committee after its consideration of their reports;

17. *Notes with appreciation* the interim report of the Special Rapporteur of the Commission on Human Rights on the question of torture,[307] describing the overall trends and developments with regard to his mandate, and encourages the Special Rapporteur to continue to include in his recommendations proposals on the prevention and investigation of torture;

18. *Invites* the Special Rapporteur to continue to examine questions of torture and other cruel, inhuman or degrading treatment or punishment directed against women, and conditions conducive to such torture, and to make appropriate recommendations for the prevention and redress of gender-specific forms of torture, including rape or any other form of sexual violence, and to exchange views with the Special Rapporteur of the Commission on Human Rights on violence against women, its causes and consequences, with the aim of enhancing further their effectiveness and mutual cooperation;

19. *Also invites* the Special Rapporteur to continue to consider questions relating to the torture of children and conditions conducive to such torture and other cruel, inhuman or degrading treatment or punishment and to make appropriate recommendations for the prevention of such torture;

20. *Calls upon* all Governments to cooperate with and assist the Special Rapporteur in the performance of his task, to supply all necessary information requested by the Special Rapporteur, to respond appropriately and expeditiously to his urgent appeals and to give serious consideration to requests by the Special Rapporteur to visit their countries, and urges them to enter into a constructive dialogue with the Special Rapporteur in following up his recommendations;

21. *Reiterates* the need for the Special Rapporteur to be able to respond effectively, in particular to urgent appeals, to

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[306] *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 44* (A/58/44).

[307] See A/58/120.

credible and reliable information that comes before him, and invites the Special Rapporteur to continue to seek the views and comments of all concerned, in particular Member States;

22. *Requests* the Special Rapporteur to continue to consider including in his report information on the follow-up by Governments to his recommendations, visits and communications, including progress made and problems encountered;

23. *Stresses* the need for the continued regular exchange of views among the Committee against Torture, the Special Rapporteur and other relevant United Nations mechanisms and bodies, as well as for the pursuance of cooperation with relevant United Nations programmes, notably the United Nations Crime Prevention and Criminal Justice Programme, with a view to enhancing further their effectiveness and cooperation on issues relating to torture, inter alia, by improving their coordination;

24. *Expresses its gratitude and appreciation* to the Governments, organizations and individuals that have already contributed to the United Nations Voluntary Fund for Victims of Torture;[308]

25. *Stresses* the importance of the work of the Board of Trustees of the Fund, and appeals to all Governments and organizations to contribute annually to the Fund, preferably by 1 March before the annual meeting of the Board, if possible with a substantial increase in the level of contributions, so that consideration may be given to the ever-increasing demand for assistance;

26. *Requests* the Secretary-General to transmit to all Governments the appeals of the General Assembly for contributions to the Fund and to continue to include the Fund on an annual basis among the programmes for which funds are pledged at the United Nations Pledging Conference for Development Activities;

27. *Also requests* the Secretary-General to assist the Board of Trustees of the Fund in its appeal for contributions and in its efforts to make better known the existence of the Fund and the financial means currently available to it, as well as in its assessment of the global need for international funding of rehabilitation services for victims of torture and, in this effort, to make use of all existing possibilities, including the preparation, production and dissemination of information materials;

28. *Further requests* the Secretary-General to ensure, within the overall budgetary framework of the United Nations, the provision of adequate staff and facilities for the bodies and mechanisms involved in combating torture and assisting victims of torture, commensurate with the strong support expressed by Member States for combating torture and assisting victims of torture;

29. *Invites* donor countries and recipient countries to consider including in their bilateral programmes and projects relating to the training of armed forces, security forces, prison and police personnel and health-care personnel matters relating to the protection of human rights and the prevention of torture, while bearing in mind a gender perspective;

30. *Requests* the Secretary-General to submit to the Commission on Human Rights at its sixtieth session and to the General Assembly at its fifty-ninth session a report on the status of the Convention and a report on the operations of the Fund;

31. *Calls upon* all Governments, the Office of the United Nations High Commissioner for Human Rights and other United Nations bodies and agencies, as well as relevant intergovernmental and non-governmental organizations, to commemorate, on 26 June, the United Nations International Day in Support of Victims of Torture;

32. *Decides* to consider at its fifty-ninth session the reports of the Secretary-General, including the report on the United Nations Voluntary Fund for Victims of Torture, the report of the Committee against Torture and the interim report of the Special Rapporteur of the Commission on Human Rights on the question of torture.

RESOLUTION 58/165

Adopted at the 77th plenary meeting, on 22 December 2003, without a vote, on the recommendation of the Committee (A/58/508/Add.1 and Corr.1, para. 23)[309]

58/165. International Covenants on Human Rights

The General Assembly,

Recalling its resolution 56/144 of 19 December 2001 and Commission on Human Rights resolution 2002/78 of 25 April 2002,[310]

Mindful that the International Covenants on Human Rights[311] constitute the first all-embracing and legally binding international treaties in the field of human rights and, together with the Universal Declaration of Human Rights,[312] form the core of the International Bill of Human Rights,

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[308] See A/58/284.

[309] The draft resolution recommended in the report was sponsored in the Committee by: Argentina, Australia, Austria, Azerbaijan, Belgium, Bolivia, Brazil, Bulgaria, Canada, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Lesotho, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Netherlands, New Zealand, Nicaragua, Norway, Panama, Peru, Poland, Romania, Serbia and Montenegro, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Ukraine, United Kingdom of Great Britain and Northern Ireland and Venezuela.

[310] See *Official Records of the Economic and Social Council, 2002, Supplement No. 3* (E/2002/23), chap. II, sect. A.

[311] Resolution 2200 A (XXI), annex.

Taking note of the report of the Secretary-General[313] on the status of the International Covenant on Economic, Social and Cultural Rights,[311] the International Covenant on Civil and Political Rights[311] and the Optional Protocols to the International Covenant on Civil and Political Rights,[314]

Recalling the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights, and reaffirming that all human rights and fundamental freedoms are universal, indivisible, interdependent and interrelated and that the promotion and protection of one category of rights should never exempt or excuse States from the promotion and protection of the other rights,

Recognizing the important role of the Human Rights Committee and the Committee on Economic, Social and Cultural Rights in examining the progress made by States parties in fulfilling the obligations undertaken in the International Covenants on Human Rights and the Optional Protocols to the International Covenant on Civil and Political Rights and in providing recommendations to States parties on their implementation,

Considering that the effective functioning of the Human Rights Committee and the Committee on Economic, Social and Cultural Rights is indispensable for the full and effective implementation of the International Covenants on Human Rights,

Recognizing the importance of regional human rights instruments and monitoring mechanisms in complementing the universal system of promotion and protection of human rights,

1. *Reaffirms* the importance of the International Covenants on Human Rights[311] as major components of international efforts to promote universal respect for and observance of human rights and fundamental freedoms;

2. *Welcomes once again* the initiative of the Secretary-General at the Millennium Assembly of the United Nations to invite heads of State and Government to sign, ratify or accede to the International Covenants on Human Rights, and expresses its appreciation to those States that have done so;

3. *Strongly appeals* to all States that have not yet done so to become parties to the International Covenant on Economic, Social and Cultural Rights[311] and the International Covenant on Civil and Political Rights,[311] as well as to consider as a matter of priority acceding to the Optional Protocols to the International Covenant on Civil and Political Rights[314] and making the declaration provided for in article 41 of the Covenant;

4. *Invites* the United Nations High Commissioner for Human Rights to intensify systematic efforts to encourage States to become parties to the International Covenants on Human Rights and, through the programme of advisory services in the field of human rights, to assist such States, at their request, in ratifying or acceding to the Covenants and to the Optional Protocols to the International Covenant on Civil and Political Rights with a view to achieving universal adherence;

5. *Emphasizes* the importance of the strictest compliance by States parties with their obligations under the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights and, where applicable, the Optional Protocols to the International Covenant on Civil and Political Rights;

6. *Also emphasizes* that States must ensure that any measure to combat terrorism complies with their obligations under relevant international law, including their obligations under the International Covenants on Human Rights;

7. *Stresses* the importance of avoiding the erosion of human rights by derogation, and underlines the necessity of strict observance of the agreed conditions and procedures for derogation under article 4 of the International Covenant on Civil and Political Rights, bearing in mind the need for States parties to provide the fullest possible information during states of emergency so that the justification for the appropriateness of measures taken in those circumstances can be assessed, and in this regard particularly takes note of General Comment No. 29 adopted by the Human Rights Committee;[315]

8. *Encourages* States parties to consider limiting the extent of any reservations that they lodge to the International Covenants on Human Rights, to formulate any reservations as precisely and narrowly as possible and to ensure that no reservation is incompatible with the object and purpose of the relevant treaty;

9. *Also encourages* States parties to review regularly any reservations made in respect of the provisions of the International Covenants on Human Rights and the Optional Protocols to the International Covenant on Civil and Political Rights with a view to withdrawing them;

10. *Welcomes* the annual reports of the Human Rights Committee submitted to the General Assembly at its fifty-seventh[316] and fifty-eighth[317] sessions, and takes note of the General Comments adopted by the Committee;[318]

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[312] Resolution 217 A (III).

[313] A/58/307.

[314] See resolution 2200 A (XXI), annex, and resolution 44/128, annex.

[315] *Official Records of the General Assembly, Fifty-sixth Session, Supplement No. 40* (A/56/40), vol. I, annex VI.

[316] Ibid., *Fifty-seventh Session, Supplement No. 40* (A/57/40).

[317] Ibid., *Fifty-eighth Session, Supplement No. 40* (A/58/40).

[318] See HRI/GEN/1/Rev.6.

11. *Also welcomes* the reports of the Committee on Economic, Social and Cultural Rights on its twenty-fifth, twenty-sixth and twenty-seventh sessions [319] and on its twenty-eighth and twenty-ninth sessions,[320] and takes note of the General Comments adopted by the Committee;[318]

12. *Urges* States parties to fulfil their reporting obligations under article 40 of the International Covenant on Civil and Political Rights on time and to attend and participate in the consideration of the reports by the Human Rights Committee when so requested, and in this regard takes note of General Comment No. 30 adopted by the Committee;[318]

13. *Also urges* States parties to fulfil their reporting obligations under article 16 of the International Covenant on Economic, Social and Cultural Rights on time and to attend and participate in the consideration of the reports by the Committee on Economic, Social and Cultural Rights when so requested;

14. *Further urges* States parties to make use in their reports of gender-disaggregated data, and stresses the importance of taking fully into account a gender perspective in the implementation of the International Covenants on Human Rights at the national level, including in the national reports of States parties and in the work of the Human Rights Committee and of the Committee on Economic, Social and Cultural Rights;

15. *Strongly encourages* States parties that have not yet submitted core documents to the Office of the United Nations High Commissioner for Human Rights to do so, and invites all States parties regularly to review and update their core documents;[321]

16. *Urges* States parties to take duly into account, in implementing the provisions of the International Covenants on Human Rights, the recommendations and observations made during the consideration of their reports by the Human Rights Committee and by the Committee on Economic, Social and Cultural Rights, as well as the views adopted by the Human Rights Committee under the first Optional Protocol to the International Covenant on Civil and Political Rights;

17. *Invites* States parties to give particular attention to the dissemination at the national level of their reports submitted to the Human Rights Committee and the Committee on Economic, Social and Cultural Rights, the summary records relating to the examination of those reports by the Committees and the recommendations and observations made by the Committees after the examination of those reports;

18. *Urges* all States to publish the texts of the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Optional Protocols to the International Covenant on Civil and Political Rights in as many local languages as possible and to distribute them and make them known as widely as possible in their territories;

19. *Urges* each State party to translate, publish and make available as widely as possible in its territory by appropriate means the full text of the concluding observations on its reports to the Human Rights Committee and the Committee on Economic, Social and Cultural Rights;

20. *Reiterates* that States parties should take into account, in their nomination of members to the Human Rights Committee and the Committee on Economic, Social and Cultural Rights, that the Committees shall be composed of persons of high moral character and recognized competence in the field of human rights, consideration being given to the usefulness of the participation of some persons having legal experience, as well as to equal representation of women and men, and that members serve in their personal capacity, and also reiterates that, in the elections of the Committees, consideration shall be given to equitable geographical distribution of membership and to the representation of the different forms of civilization and of the principal legal systems;

21. *Invites* the Human Rights Committee and the Committee on Economic, Social and Cultural Rights, when considering the reports of States parties, to continue to identify specific needs that might be addressed by United Nations departments, funds and programmes and the specialized agencies, including through the advisory services and technical assistance programme of the Office of the United Nations High Commissioner for Human Rights;

22. *Stresses* the need for improved coordination among relevant United Nations mechanisms and bodies in supporting States parties, upon their request, in implementing the International Covenants on Human Rights and the Optional Protocols to the International Covenant on Civil and Political Rights, and encourages continued efforts in this direction;

23. *Welcomes* the meeting held by the Human Rights Committee and States parties in October 2002 and the meeting held by the Committee on Economic, Social and Cultural Rights and States parties in May 2003 to exchange ideas on how to render the working methods of the Committees more efficient, and encourages all States parties to continue to contribute to the dialogue with practical and concrete proposals and ideas on ways to improve the effective functioning of the Committees;

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[319] *Official Records of the Economic and Social Council, 2002, Supplement No. 2* (E/2002/22).

[320] Ibid., *2003, Supplement No. 2* (E/2003/22).

[321] See HRI/CORE/1 and addenda.

24. *Also welcomes* the continuing efforts of the Human Rights Committee and the Committee on Economic, Social and Cultural Rights to strive for uniform standards in the implementation of the provisions of the International Covenants on Human Rights, and appeals to other bodies dealing with similar human rights questions to respect those uniform standards, as expressed in the general comments of the Committees;

25. *Notes* the need for further consideration of the issue of justiciability of the rights set forth in the International Covenant on Economic, Social and Cultural Rights and for further efforts towards developing indicators and benchmarks to measure progress in the national implementation by States parties of the rights protected by the Covenant;

26. *Takes note with interest* of the establishment by the Commission on Human Rights at its fifty-ninth session of an open-ended working group with a view to considering options regarding the elaboration of an optional protocol to the International Covenant on Economic, Social and Cultural Rights and making specific recommendations on its course of action concerning the question of such an optional protocol, and encourages all parties to participate actively in the first session of the working group;

27. *Encourages* the specialized agencies that have not yet done so to submit their reports on the progress made in achieving the observance of the provisions of the International Covenant on Economic, Social and Cultural Rights, in accordance with article 18 of the Covenant, and expresses its appreciation to those that have done so;

28. *Encourages* the Secretary-General to continue to assist States parties to the International Covenants on Human Rights in the preparation of their reports, including by convening seminars or workshops at the national level for the training of government officials engaged in the preparation of such reports and by exploring other possibilities available under the programme of advisory services in the field of human rights;

29. *Requests* the Secretary-General to ensure that the Office of the United Nations High Commissioner for Human Rights effectively assists the Human Rights Committee and the Committee on Economic, Social and Cultural Rights in the implementation of their respective mandates by providing, inter alia, adequate Secretariat staff resources and conference and other relevant support services;

30. *Welcomes* the initiative of the Secretary-General, taking into account the suggestions of the Human Rights Committee, to take determined steps, in particular through the Department of Public Information of the Secretariat, to give more publicity to the work of that Committee and of the Committee on Economic, Social and Cultural Rights;

31. *Requests* the Secretary-General to submit to the General Assembly at its sixtieth session, under the item entitled "Human rights questions", a report on the status of the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Optional Protocols to the International Covenant on Civil and Political Rights, including all reservations and declarations.

RESOLUTION 58/166

Adopted at the 77th plenary meeting, on 22 December 2003, without a vote, on the recommendation of the Committee (A/58/508/Add.1 and Corr.1, para. 23)[322]

58/166. International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families

The General Assembly,

Guided by the basic instruments regarding the international protection of human rights, in particular the Universal Declaration of Human Rights,[323] the International Covenants on Human Rights,[324] the International Convention on the Elimination of All Forms of Racial Discrimination,[325] the Convention on the Elimination of All Forms of Discrimination against Women[326] and the Convention on the Rights of the Child,[327] and reaffirming the obligation of States to promote and protect human rights and fundamental freedoms,

Bearing in mind the principles and norms established within the framework of the International Labour Organization and the importance of the work done in connection with migrant workers and members of their families in other specialized agencies and in various organs of the United Nations,

Recalling that, despite the existence of an already established body of principles and norms, there is an urgent need to make further efforts worldwide to improve the situation and to guarantee respect for the human rights and dignity of all migrant workers and members of their families,

Conscious of the marked increase in migratory movements that has occurred, especially in certain parts of the world,

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[322] The draft resolution recommended in the report was sponsored in the Committee by: Azerbaijan, Bangladesh, Bolivia, Burkina Faso, Cape Verde, Colombia, Cuba, Democratic Republic of the Congo, Ecuador, Egypt, El Salvador, Ethiopia, Gambia, Guatemala, Honduras, Mali, Mexico, Morocco, Nicaragua, Niger, Nigeria, Paraguay, Peru, Philippines, Senegal, Sudan, Tunisia, Uganda and Uruguay.

[323] Resolution 217 A (III).

[324] Resolution 2200 A (XXI), annex.

[325] Resolution 2106 A (XX), annex.

[326] Resolution 34/180, annex.

[327] Resolution 44/25, annex.

Deeply concerned at the grave situation of vulnerability of migrant workers and members of their families,

Considering that, in the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[328] all States are urged to guarantee the protection of the human rights of all migrant workers and members of their families,

Underlining the importance of the creation and promotion of conditions to foster greater harmony and tolerance between migrant workers and the rest of the society of the State in which they reside, with the aim of eliminating the growing manifestations of racism and xenophobia directed against migrant workers by individuals or groups in segments of many societies,

Recalling its resolution 45/158 of 18 December 1990, by which it adopted and opened for signature, ratification and accession the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,

Bearing in mind that, in the Vienna Declaration and Programme of Action, States are invited to consider the possibility of signing and ratifying the Convention at the earliest possible time,

1. *Acknowledges with appreciation* the entry into force of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families on 1 July 2003;

2. *Expresses its deep concern* at the growing manifestations of racism, xenophobia and other forms of discrimination and inhuman or degrading treatment directed against migrant workers in various parts of the world;

3. *Welcomes* the signature or ratification of or accession to the Convention by some States, and takes note of the report of the Secretary-General on the status of the Convention;[329]

4. *Calls once again upon* all Member States that have not yet ratified the Convention to consider urgently signing and ratifying or acceding to it;

5. *Takes note* of the arrangements for the initial meeting of States parties to the Convention, held on 11 December 2003;

6. *Requests* the Secretary-General to make all necessary provisions for the timely establishment of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families, referred to in article 72 of the Convention;

7. *Calls upon* States parties to the Convention to submit in a timely manner their first periodic report, as requested in article 73 of the Convention;

8. *Requests* the Secretary-General to provide all the facilities and assistance necessary for the promotion of the Convention through the World Public Information Campaign on Human Rights and the programme of advisory services in the field of human rights;

9. *Welcomes* the increasing activities of the global campaign for the entry into force of the Convention, and invites the organizations and bodies of the United Nations system and intergovernmental and non-governmental organizations to intensify further their efforts with a view to disseminating information on and promoting understanding of the importance of the Convention;

10. *Also welcomes* the work of the Special Rapporteur of the Commission on Human Rights on the human rights of migrants in relation to the Convention, and encourages her to persevere in that endeavour;

11. *Requests* the Secretary-General to submit an updated report on the status of the Convention to the General Assembly at its fifty-ninth session;

12. *Decides* to consider the report of the Secretary-General at its fifty-ninth session under the sub-item entitled "Implementation of human rights instruments".

RESOLUTION 58/167

Adopted at the 77th plenary meeting, on 22 December 2003, without a vote, on the recommendation of the Committee (A/58/508/Add.2, para. 131)[330]

58/167. Human rights and cultural diversity

The General Assembly,

Recalling the Universal Declaration of Human Rights,[331] the International Covenant on Economic, Social and Cultural Rights[332] and the International Covenant on Civil and Political Rights,[332] as well as other pertinent human rights instruments,

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[328] A/CONF.157/24 (Part I), chap. III.

[329] A/58/221.

[330] The draft resolution recommended in the report was sponsored in the Committee by: Afghanistan, Algeria, Azerbaijan, Bahrain, Bangladesh, Benin, Bosnia and Herzegovina, Burkina Faso, Cambodia, Cameroon, China, Congo, Cuba, Democratic Republic of the Congo, Djibouti, Dominican Republic, Egypt, El Salvador, Eritrea, Ethiopia, India, Indonesia, Iran (Islamic Republic of), Kazakhstan, Kenya, Kuwait, Lebanon, Libyan Arab Jamahiriya, Malaysia, Mauritania, Morocco, Myanmar, Niger, Nigeria, Oman, Pakistan, Qatar, Saudi Arabia, Senegal, Sierra Leone, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Thailand, Turkmenistan, United Arab Emirates, United Republic of Tanzania and Viet Nam.

[331] Resolution 217 A (III).

[332] See resolution 2200 A (XXI), annex.

Recalling also its resolutions 54/160 of 17 December 1999, 55/91 of 4 December 2000 and 57/204 of 18 December 2002, and recalling further its resolutions 54/113 of 10 December 1999 and 55/23 of 13 November 2000 on the United Nations Year of Dialogue among Civilizations,

Noting that numerous instruments within the United Nations system promote cultural diversity, as well as the conservation and development of culture, in particular the Declaration of the Principles of International Culture Cooperation proclaimed on 4 November 1966 by the General Conference of the United Nations Educational, Scientific and Cultural Organization at its fourteenth session,[333]

Taking note of the report of the Secretary-General,[334]

Welcoming the adoption of the Global Agenda for Dialogue among Civilizations by its resolution 56/6 of 9 November 2001,

Welcoming also the contribution of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held at Durban, South Africa, from 31 August to 8 September 2001, to the promotion of respect for cultural diversity,

Welcoming further the Universal Declaration on Cultural Diversity of the United Nations Educational, Scientific and Cultural Organization,[335] together with its Action Plan,[336] adopted on 2 November 2001 by the General Conference of the United Nations Educational, Scientific and Cultural Organization at its thirty-first session, in which member States invited the United Nations system and other intergovernmental and non-governmental organizations concerned to cooperate with the United Nations Educational, Scientific and Cultural Organization in the promotion of the principles set forth in the Declaration and its Action Plan with a view to enhancing the synergy of actions in favour of cultural diversity,

Reaffirming that all human rights are universal, indivisible, interdependent and interrelated and that the international community must treat human rights globally in a fair and equal manner, on the same footing and with the same emphasis, and that, while the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it is the duty of States, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms,

Recognizing that cultural diversity and the pursuit of cultural development by all peoples and nations are a source of mutual enrichment for the cultural life of humankind,

Taking into account that a culture of peace actively fosters non-violence and respect for human rights and strengthens solidarity among peoples and nations and dialogue between cultures,

Recognizing that all cultures and civilizations share a common set of universal values,

Recognizing also that the promotion of the rights of indigenous people and their cultures and traditions will contribute to the respect for and observance of cultural diversity among all peoples and nations,

Considering that tolerance of cultural, ethnic, religious and linguistic diversities, as well as dialogue among and within civilizations, is essential for peace, understanding and friendship among individuals and people of different cultures and nations of the world, while manifestations of cultural prejudice, intolerance and xenophobia towards different cultures and religions generate hatred and violence among peoples and nations throughout the world,

Recognizing in each culture a dignity and value that deserve recognition, respect and preservation, and convinced that, in their rich variety and diversity, and in the reciprocal influences that they exert on one another, all cultures form part of the common heritage belonging to all humankind,

Convinced that the promotion of cultural pluralism and tolerance towards and dialogue among various cultures and civilizations would contribute to the efforts of all peoples and nations to enrich their cultures and traditions by engaging in a mutually beneficial exchange of knowledge and intellectual, moral and material achievements,

1. *Affirms* the importance for all peoples and nations to hold, develop and preserve their cultural heritage and traditions in a national and international atmosphere of peace, tolerance and mutual respect;

2. *Welcomes* the adoption of the United Nations Millennium Declaration of 8 September 2000,[337] in which Member States consider, inter alia, that tolerance is one of the fundamental values essential to international relations in the twenty-first century and that it should include the active promotion of a culture of peace and dialogue among civilizations, with human beings respecting one another in all their diversity of belief, culture and language, neither fearing nor repressing

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[333] See United Nations Educational, Scientific and Cultural Organization, *Records of the General Conference, Fourteenth Session, Paris, 1966, Resolutions*.

[334] A/58/309.

[335] United Nations Educational, Scientific and Cultural Organization, *Records of the General Conference, Thirty-first Session, Paris, 15 October–3 November 2001*, vol. 1: *Resolutions*, chap. V, resolution 25, annex I.

[336] Ibid., annex II.

[337] See resolution 55/2.

differences within and between societies but cherishing them as a precious asset of humanity;

3. *Recognizes* the right of everyone to take part in cultural life and to enjoy the benefits of scientific progress and its applications;

4. *Affirms* that the international community should strive to respond to the challenges and opportunities posed by globalization in a manner that ensures respect for the cultural diversity of all;

5. *Expresses its determination* to prevent and mitigate cultural homogenization in the context of globalization, through increased intercultural exchange guided by the promotion and protection of cultural diversity;

6. *Affirms* that intercultural dialogue essentially enriches the common understanding of human rights and that the benefits to be derived from the encouragement and development of international contacts and cooperation in the cultural fields are important;

7. *Welcomes* the recognition at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance of the necessity of respecting and maximizing the benefits of diversity within and among all nations in working together to build a harmonious and productive future by putting into practice and promoting values and principles such as justice, equality and non-discrimination, democracy, fairness and friendship, tolerance and respect within and among communities and nations, in particular through public information and educational programmes to raise awareness and understanding of the benefits of cultural diversity, including programmes in which the public authorities work in partnership with international and non-governmental organizations and other sectors of civil society;

8. *Recognizes* that respect for cultural diversity and the cultural rights of all enhances cultural pluralism, contributing to a wider exchange of knowledge and understanding of cultural background, advancing the application and enjoyment of universally accepted human rights throughout the world and fostering stable, friendly relations among peoples and nations worldwide;

9. *Emphasizes* that the promotion of cultural pluralism and tolerance at the national, regional and international levels is important for enhancing respect for cultural rights and cultural diversity;

10. *Also emphasizes* that tolerance and respect for diversity facilitate the universal promotion and protection of human rights, including gender equality and the enjoyment of all human rights by all, and underlines the fact that tolerance and respect for cultural diversity and the universal promotion and protection of human rights are mutually supportive;

11. *Urges* all actors on the international scene to build an international order based on inclusion, justice, equality and equity, human dignity, mutual understanding and promotion of and respect for cultural diversity and universal human rights, and to reject all doctrines of exclusion based on racism, racial discrimination, xenophobia and related intolerance;

12. *Urges* States to ensure that their political and legal systems reflect the multicultural diversity within their societies and, where necessary, to improve democratic institutions so that they are more fully participatory and avoid marginalization and exclusion of, and discrimination against, specific sectors of society;

13. *Calls upon* States, international organizations and United Nations agencies, and invites civil society, including non-governmental organizations, to recognize and promote respect for cultural diversity for the purpose of advancing the objectives of peace, development and universally accepted human rights;

14. *Requests* the Secretary-General, in the light of the present resolution, to prepare a report on human rights and cultural diversity, taking into account the views of Member States, relevant United Nations agencies and non-governmental organizations, as well as the considerations in the present resolution regarding the recognition and importance of cultural diversity among all peoples and nations in the world, and to submit the report to the General Assembly at its sixtieth session;

15. *Decides* to continue consideration of this question at its sixtieth session under the sub-item entitled "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms".

RESOLUTION 58/168

Adopted at the 77th plenary meeting, on 22 December 2003, without a vote, on the recommendation of the Committee (A/58/508/Add.2, para. 131)[339]

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[339] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Angola, Bangladesh, Benin, Botswana, Burkina Faso, Burundi, Cambodia, Cameroon, China, Colombia, Congo, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Dominican Republic, Egypt, El Salvador, Eritrea, Ethiopia, Ghana, Haiti, Indonesia, Iran (Islamic Republic of), Kenya, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Mauritius, Mozambique, Myanmar, Namibia, Nigeria, Pakistan, Peru, Qatar, Saint Vincent and the Grenadines, South Africa, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tunisia, Turkmenistan, United Republic of Tanzania, Viet Nam, Zambia and Zimbabwe.

58/168. Strengthening United Nations action in the field of human rights through the promotion of international cooperation and the importance of non-selectivity, impartiality and objectivity

The General Assembly,

Bearing in mind that among the purposes of the United Nations are those of developing friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples and taking other appropriate measures to strengthen universal peace, as well as achieving international cooperation in solving international problems of an economic, social, cultural or humanitarian character and in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Desirous of achieving further progress in international cooperation in promoting and encouraging respect for human rights and fundamental freedoms,

Considering that such international cooperation should be based on the principles embodied in international law, especially the Charter of the United Nations, as well as the Universal Declaration of Human Rights,[339] the International Covenants on Human Rights[340] and other relevant instruments,

Deeply convinced that United Nations action in this field should be based not only on a profound understanding of the broad range of problems existing in all societies but also on full respect for the political, economic and social realities of each of them, in strict compliance with the purposes and principles of the Charter and for the basic purpose of promoting and encouraging respect for human rights and fundamental freedoms through international cooperation,

Recalling its previous resolutions in this regard,

Reaffirming the importance of ensuring the universality, objectivity and non-selectivity of the consideration of human rights issues, as affirmed in the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[341]

Affirming the importance of the objectivity, independence and discretion of the special rapporteurs and representatives on thematic issues and on countries, as well as of the members of the working groups, in carrying out their mandates,

Underlining the obligation that Governments have to promote and protect human rights and to carry out the responsibilities that they have undertaken under international law, especially the Charter, as well as various international instruments in the field of human rights,

1. *Reiterates* that, by virtue of the principle of equal rights and self-determination of peoples enshrined in the Charter of the United Nations, all peoples have the right freely to determine, without external interference, their political status and to pursue their economic, social and cultural development, and that every State has the duty to respect that right within the provisions of the Charter, including respect for territorial integrity;

2. *Reaffirms* that it is a purpose of the United Nations and the task of all Member States, in cooperation with the Organization, to promote and encourage respect for human rights and fundamental freedoms and to remain vigilant with regard to violations of human rights wherever they occur;

3. *Calls upon* all Member States to base their activities for the promotion and protection of human rights, including the development of further international cooperation in this field, on the Charter of the United Nations, the Universal Declaration of Human Rights,[339] the International Covenant on Economic, Social and Cultural Rights,[340] the International Covenant on Civil and Political Rights[340] and other relevant international instruments, and to refrain from activities that are inconsistent with that international framework;

4. *Considers* that international cooperation in this field should make an effective and practical contribution to the urgent task of preventing mass and flagrant violations of human rights and fundamental freedoms for all and to the strengthening of international peace and security;

5. *Reaffirms* that the promotion, protection and full realization of all human rights and fundamental freedoms, as a legitimate concern of the world community, should be guided by the principles of non-selectivity, impartiality and objectivity and should not be used for political ends;

6. *Requests* all human rights bodies within the United Nations system, as well as the special rapporteurs and representatives, independent experts and working groups, to take duly into account the contents of the present resolution in carrying out their mandates;

7. *Expresses its conviction* that an unbiased and fair approach to human rights issues contributes to the promotion of international cooperation as well as to the effective promotion, protection and realization of human rights and fundamental freedoms;

8. *Stresses*, in this context, the continuing need for impartial and objective information on the political, economic and social situations and events of all countries;

9. *Invites* Member States to consider adopting, as appropriate, within the framework of their respective legal systems and in accordance with their obligations under

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[339] Resolution 217 A (III).

[340] Resolution 2200 A (XXI), annex.

[341] A/CONF.157/24 (Part I), chap. III.

international law, especially the Charter, and international human rights instruments, the measures that they may deem appropriate to achieve further progress in international cooperation in promoting and encouraging respect for human rights and fundamental freedoms;

10. *Requests* the Commission on Human Rights to take duly into account the present resolution and to consider further proposals for the strengthening of United Nations action in the field of human rights through the promotion of international cooperation and the importance of non-selectivity, impartiality and objectivity;

11. *Takes note* of the report of the Secretary-General,[342] and requests the Secretary-General to invite Member States to present practical proposals and ideas that would contribute to the strengthening of United Nations action in the field of human rights, through the promotion of international cooperation based on the principles of non-selectivity, impartiality and objectivity, and to submit a comprehensive report on this question to the General Assembly at its fifty-ninth session;

12. *Decides* to consider this matter at its fifty-ninth session under the item entitled "Human rights questions".

RESOLUTION 58/169

Adopted at the 77th plenary meeting, on 22 December 2003, without a vote, on the recommendation of the Committee (A/58/508/Add.2, para. 131)[343]

58/169. Human rights and mass exoduses

The General Assembly,

Deeply disturbed by the scale and magnitude of exoduses and displacements of people in many regions of the world and by the human suffering of refugees and displaced persons, a high proportion of whom are women and children,

Recalling its previous resolutions on this subject, as well as those of the Commission on Human Rights, and the conclusions of the World Conference on Human Rights,[344] which recognized, inter alia, that gross violations of human rights, persecution, political and ethnic conflicts, famine and economic insecurity, poverty and generalized violence are among the root causes leading to mass exoduses and displacements of people,

Mindful of the open debates that have been held within the Security Council on the protection of civilians in armed conflict, the three reports of the Secretary-General on that subject[345] and the related resolutions adopted,

Reaffirming the continuing relevance of the provisions of the 1951 Convention relating to the Status of Refugees[346] and the 1967 Protocol thereto[347] to the situation of people in mass exoduses, and welcoming in this respect the process of Global Consultations on International Protection and the Agenda for Protection[348] and other follow-up processes endorsed by States as a result, which sought, inter alia, to strengthen international responses to mass influx situations,

Welcoming the increased attention being given by the United Nations to the problem of refugee camp security, including through the development of operational guidelines on the separation of armed elements from refugee populations, and the increasing attention to registration and camp layout and design,

Stressing the importance of adherence to international humanitarian, human rights and refugee law in order to avert mass exoduses and to protect refugees and internally displaced persons, and expressing its deep concern at the lack of respect for those laws and principles, especially during armed conflict, including the denial of safe and unimpeded access to the displaced,

Reaffirming the primary responsibility of States to ensure the protection of refugees and internally displaced persons,

Noting with satisfaction the efforts of the United Nations system to develop a comprehensive approach to addressing the root causes and effects of movements of refugees and other displaced persons and strengthening emergency preparedness and response mechanisms,

Recognizing that the human rights machinery of the United Nations, including the mechanisms of the Commission on Human Rights and the human rights treaty bodies, has important capabilities to address human rights violations that cause movements of refugees and displaced persons or prevent durable solutions to their plight,

Taking note of the work in progress of the United Nations system to clarify the role of the United Nations in post-conflict transition situations, including mass exodus situations,

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[342] A/58/185 and Add.1 and 2.

[343] The draft resolution recommended in the report was sponsored in the Committee by: Albania, Argentina, Australia, Austria, Belgium, Bulgaria, Canada, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Monaco, Netherlands, New Zealand, Norway, Philippines, Poland, Portugal, Republic of Korea, Romania, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, United Kingdom of Great Britain and Northern Ireland and United States of America.

[344] See A/CONF.157/24 (Part I), chap. III.

[345] S/1999/957, S/2001/331 and S/2002/1300.

[346] United Nations, *Treaty Series*, vol. 189, No. 2545.

[347] Ibid., vol. 606, No. 8791.

[348] *Official Records of the General Assembly, Fifty-seventh Session, Supplement No. 12A* (A/57/12/Add.1), annex IV.

Recognizing the complementarity between the systems for the protection of human rights and for humanitarian action, in particular the mandates of the United Nations High Commissioner for Human Rights and the United Nations High Commissioner for Refugees, as well as the work of the Office for the Coordination of Humanitarian Affairs of the Secretariat, the Representative of the Secretary-General on internally displaced persons and the Special Representative of the Secretary-General for Children and Armed Conflict, and that cooperation between them, in accordance with their respective mandates, as well as coordination between the human rights, humanitarian, development, political and security components of the United Nations system, makes important contributions to the promotion and protection of the human rights of persons forced into mass exodus and displacement,

Acknowledging with appreciation the important and independent work of the International Red Cross and Red Crescent Movement and other humanitarian agencies in protecting and assisting refugees and internally displaced persons, in cooperation with relevant international bodies,

1. *Takes note* of the report of the Secretary-General;[349]

2. *Strongly deplores* ethnic and other forms of intolerance as one of the major causes of forced migratory movements, and urges States to take all necessary steps to ensure respect for human rights, especially the rights of persons belonging to minorities;

3. *Reaffirms* the need for all Governments, intergovernmental bodies and relevant international organizations to intensify their cooperation and assistance in worldwide efforts to address human rights situations that lead to, as well as the serious protection and assistance problems that result from, mass exoduses of refugees and displaced persons;

4. *Urges* the Secretary-General to continue to give high priority to the consolidation and strengthening of emergency preparedness and response mechanisms, including early warning activities in the humanitarian area, so that, inter alia, effective action is taken to identify all human rights abuses that contribute to mass exoduses of persons;

5. *Encourages* States that have not already done so to consider acceding to the 1951 Convention[346] and the 1967 Protocol[347] relating to the Status of Refugees and to other relevant regional instruments concerning refugees, as applicable, and relevant international instruments of human rights and humanitarian law, to take appropriate measures to disseminate and implement those instruments domestically, to encourage compliance with provisions against arbitrary and forcible displacement and greater respect for the rights of those who flee and, as appropriate, to address the situation of the forcibly displaced in their reports to the human rights treaty bodies;

6. *Calls upon* States to ensure the effective protection of refugees by, inter alia, respecting the principle of non-refoulement, emphasizes the responsibility of all States and international organizations to cooperate with those countries, particularly developing countries, which are affected by mass exoduses of refugees and displaced persons, and also calls upon all relevant international and non-governmental organizations to continue to respond to the assistance and protection needs of refugees and displaced persons, including through the promotion of durable solutions to their plight;

7. *Urges* States to uphold the civilian and humanitarian character of refugee camps and settlements, consistent with international law, inter alia, through effective measures to prevent the infiltration of armed elements, to identify and separate any such armed elements from refugee populations, to settle refugees at safe locations, where possible away from the border, and to afford prompt and unhindered access to them by humanitarian personnel;

8. *Condemns* all incidents of sexual exploitation and abuse and violence against refugees and internally displaced persons, encourages Governments to adopt and implement initiatives aimed at preventing, and at addressing allegations of, sexual exploitation and abuse in emergency situations, and calls upon all relevant United Nations agencies to ensure the effective implementation and monitoring of the Secretary-General's bulletin,[350] the Inter-Agency Standing Committee Plan of Action on Protection from Sexual Exploitation and Abuse in Humanitarian Crises[351] and other relevant codes of conduct;

9. *Encourages* the special rapporteurs, special representatives and working groups of the Commission on Human Rights and the United Nations human rights treaty bodies, acting within their mandates, to seek information, where appropriate, on human rights problems that may result in mass exoduses of populations or impede their voluntary return home, where appropriate, to include such information, together with recommendations thereon, in their reports and to bring such information to the attention of the United Nations High Commissioner for Human Rights for appropriate action in fulfilment of his mandate, in consultation with the United Nations High Commissioner for Refugees;

10. *Requests* all United Nations bodies, acting within their mandates, the specialized agencies and governmental, intergovernmental and non-governmental organizations to cooperate fully with all mechanisms of the Commission on Human Rights and, in particular, to provide them with all relevant information in their possession on the human rights

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[349] A/58/186.

[350] ST/SGB/2003/13.

[351] See A/57/465, annex I.

situations creating or affecting refugees and displaced persons, and to exchange such information among themselves, within their mandates, in order to encourage effective international responses;

11. *Requests* the United Nations High Commissioner for Human Rights, in the exercise of his mandate, as set out in General Assembly resolution 48/141 of 20 December 1993, and in cooperation with the United Nations High Commissioner for Refugees, to pay particular attention to situations that cause or threaten to cause mass exoduses or displacements and to contribute to efforts to address such situations effectively and promote sustainable returns through promotion and protection measures, including human rights monitoring of those who have fled or returned as part of mass exoduses, emergency preparedness and response mechanisms, early warning and information-sharing, technical advice, expertise and cooperation in countries of origin as well as host countries;

12. *Welcomes* the efforts of the United Nations High Commissioner for Human Rights to contribute to the creation of a viable environment for the sustainable return of displaced persons in post-conflict societies, working in cooperation with the States concerned, through initiatives such as the rehabilitation of the justice system, the creation of national institutions capable of defending human rights and broad-based programmes of human rights education and the strengthening of local non-governmental organizations through field presences and programmes of advisory services and technical cooperation;

13. *Requests* the Secretary-General to prepare and submit to the General Assembly at its sixtieth session a report on the implementation of the present resolution as it pertains to all aspects of human rights and mass exoduses, with particular emphasis on the efforts of the United Nations system to enhance the protection of those who become displaced during mass exoduses, and to facilitate their return and reintegration, as well as information on efforts to continue to enhance the capacity of the United Nations to avert new flows of refugees and other displaced persons and to tackle the root causes of such flows;

14. *Decides* to continue its consideration of this question at its sixtieth session.

RESOLUTION 58/170

Adopted at the 77th plenary meeting, on 22 December 2003, without a vote, on the recommendation of the Committee (A/58/508/Add.2, para. 131)[352]

58/170. Enhancement of international cooperation in the field of human rights

The General Assembly,

Reaffirming its commitment to promoting international cooperation, as set forth in the Charter of the United Nations, in particular Article 1, paragraph 3, as well as relevant provisions of the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25 June 1993,[353] for enhancing genuine cooperation among Member States in the field of human rights,

Recalling its adoption of the United Nations Millennium Declaration on 8 September 2000[354] and its resolution 57/224 of 18 December 2002, and taking note of Commission on Human Rights resolution 2003/60 of 24 April 2003 on the enhancement of international cooperation in the field of human rights,[355]

Recalling also the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held at Durban, South Africa, from 31 August to 8 September 2001, and its role in the enhancement of international cooperation in the field of human rights,

Recognizing that the enhancement of international cooperation in the field of human rights is essential for the full achievement of the purposes of the United Nations, including the effective promotion and protection of all human rights,

Reaffirming that dialogue among religions, cultures and civilizations in the field of human rights could contribute greatly to the enhancement of international cooperation in this field, and recalling its decision to proclaim 2001 the United Nations Year of Dialogue among Civilizations, as well as its resolution 56/6 of 9 November 2001, entitled "Global Agenda for Dialogue among Civilizations",

Emphasizing the need for further progress in the promotion and encouragement of respect for human rights and fundamental freedoms through, inter alia, international cooperation,

Underlining the fact that mutual understanding, dialogue, cooperation, transparency and confidence-building are important elements in all the activities for the promotion and protection of human rights,

Recalling the adoption of resolution 2000/22 of 18 August 2000, on the promotion of dialogue on human rights issues, by the Subcommission on the Promotion and Protection of Human Rights at its fifty-second session,[356]

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[352] The draft resolution recommended in the report was sponsored in the Committee by China, and Malaysia (on behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries).

[353] A/CONF.157/24 (Part I), chap. III.

[354] See resolution 55/2.

[355] See *Official Records of the Economic and Social Council, 2003, Supplement No. 3* (E/2003/23), chap. II, sect. A.

[356] See E/CN.4/2001/2-E/CN.4/Sub.2/2000/46, chap. II, sect. A.

1. *Reaffirms* that it is one of the purposes of the United Nations and the responsibility of all Member States to promote, protect and encourage respect for human rights and fundamental freedoms through, inter alia, international cooperation;

2. *Recognizes* that, in addition to their separate responsibilities to their individual societies, States have a collective responsibility to uphold the principles of human dignity, equality and equity at the global level;

3. *Reaffirms* that dialogue among cultures and civilizations facilitates the promotion of a culture of tolerance and respect for diversity, and welcomes in this regard the holding of conferences and meetings at the national, regional and international levels on dialogue among civilizations;

4. *Urges* all actors on the international scene to build an international order based on inclusion, justice, equality and equity, human dignity, mutual understanding and promotion of and respect for cultural diversity and universal human rights, and to reject all doctrines of exclusion based on racism, racial discrimination, xenophobia and related intolerance;

5. *Reaffirms* the importance of the enhancement of international cooperation for the promotion and protection of human rights and for the achievement of the objectives of the fight against racism, racial discrimination, xenophobia and related intolerance;

6. *Considers* that international cooperation in this field, in conformity with the purposes and principles set out in the Charter of the United Nations and international law, should make an effective and practical contribution to the urgent task of preventing violations of human rights and fundamental freedoms;

7. *Reaffirms* that the promotion, protection and full realization of all human rights and fundamental freedoms should be guided by the principles of universality, non-selectivity, objectivity and transparency, in a manner consistent with the purposes and principles set out in the Charter;

8. *Calls upon* Member States, specialized agencies and intergovernmental organizations to continue to carry out a constructive dialogue and consultations for the enhancement of understanding and the promotion and protection of all human rights and fundamental freedoms, and encourages non-governmental organizations to contribute actively to this endeavour;

9. *Invites* States and relevant United Nations human rights mechanisms and procedures to continue to pay attention to the importance of mutual cooperation, understanding and dialogue in ensuring the promotion and protection of all human rights;

10. *Decides* to continue its consideration of this question at its fifty-ninth session.

RESOLUTION 58/171

Adopted at the 77th plenary meeting, on 22 December 2003, on the recommendation of the Committee (A/58/508/Add.2, para. 131),[357] by a recorded vote of 125 to 53, with no abstentions, as follows:

In favour: Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Netherlands, New Zealand, Norway, Palau, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: None

58/171. Human rights and unilateral coercive measures

The General Assembly,

Recalling all its previous resolutions, the most recent of which was resolution 57/222 of 18 December 2002, and Commission on Human Rights resolution 2003/17 of 22 April 2003,[358]

Reaffirming the pertinent principles and provisions contained in the Charter of Economic Rights and Duties of States proclaimed by the General Assembly in its resolution 3281 (XXIX) of 12 December 1974, in particular article 32 thereof, in which it declared that no State may use or encourage the use of economic, political or any other type of measures to coerce another State in order to obtain from it the subordination of the exercise of its sovereign rights,

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[357] The draft resolution recommended in the report was sponsored in the Committee by China, and Malaysia (on behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries).

[358] See *Official Records of the Economic and Social Council, 2003, Supplement No. 3* (E/2003/23), chap. II, sect. A.

Taking note of the report of the Secretary-General,[359] submitted pursuant to Commission on Human Rights resolution 1999/21 of 23 April 1999,[360] and the reports of the Secretary-General on the implementation of resolutions 52/120 of 12 December 1997[361] and 55/110 of 4 December 2000,[362]

Recognizing the universal, indivisible, interdependent and interrelated character of all human rights, and, in this regard, reaffirming the right to development as an integral part of all human rights,

Recalling that the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, called upon States to refrain from any unilateral coercive measure not in accordance with international law and the Charter of the United Nations that creates obstacles to trade relations among States and impedes the full realization of all human rights,[363]

Bearing in mind all the references to this question in the Copenhagen Declaration on Social Development, adopted by the World Summit for Social Development on 12 March 1995,[364] the Beijing Declaration and Platform for Action, adopted by the Fourth World Conference on Women on 15 September 1995,[365] the Istanbul Declaration on Human Settlements and the Habitat Agenda, adopted by the second United Nations Conference on Human Settlements (Habitat II) on 14 June 1996,[366] and their five-year reviews,

Expressing its concern about the negative impact of unilateral coercive measures on international relations, trade, investment and cooperation,

Expressing its grave concern that, in some countries, the situation of children is adversely affected by unilateral coercive measures not in accordance with international law and the Charter that create obstacles to trade relations among States, impede the full realization of social and economic development and hinder the well-being of the population in the affected countries, with particular consequences for women and children, including adolescents,

Deeply concerned that, despite the recommendations adopted on this question by the General Assembly and recent major United Nations conferences, and contrary to general international law and the Charter, unilateral coercive measures continue to be promulgated and implemented with all their negative implications for the social-humanitarian activities and economic and social development of developing countries, including their extraterritorial effects, thereby creating additional obstacles to the full enjoyment of all human rights by peoples and individuals under the jurisdiction of other States,

Bearing in mind all the extraterritorial effects of any unilateral legislative, administrative and economic measures, policies and practices of a coercive nature against the development process and the enhancement of human rights in developing countries, which create obstacles to the full realization of all human rights,

Noting the continuing efforts of the open-ended Working Group on the Right to Development of the Commission on Human Rights, and reaffirming in particular its criteria, according to which unilateral coercive measures are one of the obstacles to the implementation of the Declaration on the Right to Development,[367]

1. *Urges* all States to refrain from adopting or implementing any unilateral measures not in accordance with international law and the Charter of the United Nations, in particular those of a coercive nature with all their extraterritorial effects, which create obstacles to trade relations among States, thus impeding the full realization of the rights set forth in the Universal Declaration of Human Rights[368] and other international human rights instruments, in particular the right of individuals and peoples to development;

2. *Also urges* all States to take steps to avoid and to refrain from adopting any unilateral measures not in accordance with international law and the Charter that impede the full achievement of economic and social development by the population of the affected countries, in particular children and women, that hinder their well-being and that create obstacles to the full enjoyment of their human rights, including the right of everyone to a standard of living adequate for their health and well-being and their right to food, medical care and the necessary social services, as well as to ensure that food and medicine are not used as tools for political pressure;

3. *Invites* all States to consider adopting administrative or legislative measures, as appropriate, to counteract the extraterritorial applications or effects of unilateral coercive measures;

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[359] E/CN.4/2000/46 and Add.1.

[360] See *Official Records of the Economic and Social Council, 1999, Supplement No. 3* (E/1999/23), chap. II, sect. A.

[361] A/53/293 and Add.1.

[362] A/56/207 and Add.1.

[363] See A/CONF.157/24 (Part I), chap. III, sect. I, para. 31.

[364] *Report of the World Summit for Social Development, Copenhagen, 6–12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annex I.

[365] *Report of the Fourth World Conference on Women, Beijing, 4–15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

[366] *Report of the United Nations Conference on Human Settlements (Habitat II), Istanbul, 3–14 June 1996* (United Nations publication, Sales No. E.97.IV.6), chap. I, resolution 1, annexes I and II.

[367] Resolution 41/128, annex.

[368] Resolution 217 A (III).

4. *Rejects* unilateral coercive measures with all their extraterritorial effects as tools for political or economic pressure against any country, in particular against developing countries, because of their negative effects on the realization of all the human rights of vast sectors of their populations, in particular children, women and the elderly;

5. *Calls upon* Member States that have initiated such measures to commit themselves to their obligations and responsibilities arising from the international human rights instruments to which they are party by revoking such measures at the earliest time possible;

6. *Reaffirms*, in this context, the right of all peoples to self-determination, by virtue of which they freely determine their political status and freely pursue their economic, social and cultural development;

7. *Urges* the Commission on Human Rights to take fully into account the negative impact of unilateral coercive measures, including the enactment of national laws and their extraterritorial application, in its task concerning the implementation of the right to development;

8. *Requests* the United Nations High Commissioner for Human Rights, in discharging his functions relating to the promotion, realization and protection of the right to development and bearing in mind the continuing impact of unilateral coercive measures on the population of developing countries, to give priority to the present resolution in his annual report to the General Assembly;

9. *Requests* the Secretary-General to bring the present resolution to the attention of all Member States, to continue to collect their views and information on the implications and negative effects of unilateral coercive measures on their populations and to submit an analytical report thereon to the General Assembly at its fifty-ninth session, highlighting the practical and preventive measures in this respect;

10. *Decides* to examine this question on a priority basis at its fifty-ninth session under the sub-item entitled "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms".

RESOLUTION 58/172

Adopted at the 77th plenary meeting, on 22 December 2003, on the recommendation of the Committee (A/58/508/Add.2, para. 131),[369] by a recorded vote of 173 to 3, with 5 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: Israel, Palau, United States of America

Abstaining: Australia, Canada, Georgia, Japan, Sweden

58/172. The right to development

The General Assembly,

Guided by the Charter of the United Nations, which expresses, in particular, the determination to promote social progress and better standards of life in larger freedom, as well as to employ international mechanisms for the promotion of the economic and social advancement of all peoples,

Reaffirming the objective of making the right to development a reality for everyone, as set out in the United Nations Millennium Declaration, adopted by the General Assembly on 8 September 2000,[370]

Stressing the need for undertaking urgent measures to implement the goals and targets set at all the major United Nations conferences and summits and their review processes, which are paramount in the process of the realization of the right to development,

Taking note of the outcome of the Fourth Ministerial Conference of the World Trade Organization, held in Doha from 9 to 14 November 2001,[371]

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[369] The draft resolution recommended in the report was sponsored in the Committee by China, and Malaysia (on behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries).

[370] See resolution 55/2.

[371] A/C.2/56/7, annex.

Recalling that the Declaration on the Right to Development, adopted by the General Assembly in its resolution 41/128 of 4 December 1986, confirmed that the right to development is an inalienable human right and that equality of opportunity for development is a prerogative both of nations and of individuals who make up nations, and the individual as the central subject and beneficiary of development,

Stressing that the Vienna Declaration and Programme of Action[372] reaffirmed the right to development as a universal and inalienable right and an integral part of fundamental human rights, and the individual as the central subject and beneficiary of development,

Recalling all its previous resolutions and those of the Commission on Human Rights on the right to development, in particular Commission resolution 1998/72 of 22 April 1998,[373] on the urgent need to make further progress towards the realization of the right to development as set out in the Declaration on the Right to Development,

Welcoming its adoption of the United Nations Convention against Corruption[374] on 31 October 2003,

Recalling the high-level plenary meetings of the General Assembly held on 22 September 2003 devoted to the follow-up to the outcome of its twenty-sixth special session and the implementation of the Declaration of Commitment on HIV/AIDS,[375]

Recalling also the Thirteenth Conference of Heads of State or Government of the Non-Aligned Movement, held in Kuala Lumpur from 20 to 25 February 2003,

Reiterating its continuing support for the New Partnership for Africa's Development[376] as a development framework for Africa,

Recognizing that historical injustices have undeniably contributed to the poverty, underdevelopment, marginalization, social exclusion, economic disparity, instability and insecurity that affect many people in different parts of the world, in particular in developing countries,

Stressing that poverty eradication is one of the critical elements in the promotion and realization of the right to development and that poverty is a multifaceted problem that requires a multifaceted and integrated approach in addressing economic, political, social, environmental and institutional dimensions at all levels, especially in the context of the millennium development goal of halving, by 2015, the proportion of the world's people whose income is less than one dollar a day and the proportion of people who suffer from hunger,

Expressing regret that the Working Group on the Right to Development, at its fourth session, did not reach a conclusion, in particular on the implementation of the conclusions of the third session of the Working Group,[377] while aware of the views and observations of the Chairperson-Rapporteur,[378]

1. *Endorses* the conclusions of the third session of the Working Group on the Right to Development,[377] as adopted by the Commission on Human Rights in its resolution 2002/69 of 25 April 2002,[379] which constitute a solid foundation for further initiatives towards the promotion and the realization of the right to development;

2. *Requests* the Working Group at its fifth session to revisit and build upon the conclusions of its third session in order to constructively and effectively fulfil its mandate, bearing in mind that the Working Group did not reach a conclusion at its fourth session;

3. *Stresses* the importance of the core principles contained in the conclusions of the third session of the Working Group, congruent with the purpose of international human rights instruments, such as equality, non-discrimination, accountability, participation and international cooperation, as critical to mainstreaming the right to development at the international level, and underlines the importance of the principles of equity and transparency;

4. *Reaffirms* the commitment to implement the goals and targets set out in all the outcome documents of the major United Nations conferences and summits and their review processes, in particular those relating to the realization of the right to development, recognizing that the realization of the right to development is critical to achieving the objectives, goals and targets set in those outcome documents;

5. *Reaffirms also* that the realization of the right to development is essential to the implementation of the Vienna Declaration and Programme of Action,[372] which regards all human rights as universal, indivisible, interdependent and interrelated, places the human person at the centre of development and recognizes that, while development facilitates the enjoyment of all human rights, the lack of development may not be invoked to justify the abridgement of internationally recognized human rights;

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[372] A/CONF.157/24 (Part I), chap. III.

[373] See *Official Records of the Economic and Social Council, 1998, Supplement No. 3* (E/1998/23), chap. II, sect. A.

[374] Resolution 58/4, annex.

[375] Resolution S-26/2, annex.

[376] A/57/304, annex.

[377] E/CN.4/2002/28/Rev.1, sect. VIII.A.

[378] E/CN.4/2003/26 and Corr.1, annex I.

[379] See *Official Records of the Economic and Social Council, 2002, Supplement No. 3* (E/2002/23), chap. II, sect. A.

6. *Stresses* that the basic responsibility for the promotion and protection of all human rights lies with the State, and reaffirms that States have the primary responsibility for their own economic and social development and that the role of national policies and development strategies cannot be overemphasized;

7. *Reaffirms* that States have the primary responsibility for the creation of national and international conditions favourable to the realization of the right to development and their commitment to cooperating with each other to that end;

8. *Reaffirms also* the need for an international environment that is conducive to the realization of the right to development;

9. *Stresses* the need to strive for greater acceptance, operationalization and realization of the right to development at the international and national levels, and calls upon States to institute the measures required for the implementation of the right to development as a fundamental human right;

10. *Emphasizes* the critical importance of identifying and analysing obstacles impeding the full realization of the right to development at both the national and the international levels;

11. *Affirms* that, while globalization offers both opportunities and challenges, the process of globalization remains deficient in achieving the objectives of integrating all countries into a globalized world, and stresses the need for policies and measures at the national and global levels to respond to the challenges and opportunities of globalization if this process is to be made fully inclusive and equitable;

12. *Recognizes* that, despite continuous efforts on the part of the international community, the gap between developed and developing countries remains unacceptably wide, that developing countries continue to face difficulties in participating in the globalization process and that many risk being marginalized and effectively excluded from its benefits;

13. *Reaffirms* the commitment, and urges developed countries that have not yet done so, to make concrete efforts towards meeting the targets of 0.7 per cent of their gross national product for official development assistance to developing countries and 0.15 to 0.2 per cent of their gross national product to least developed countries, and encourages developing countries to build on the progress achieved in ensuring that official development assistance is used effectively to help to meet development goals and targets;

14. *Recognizes* the need to address market access for developing countries, including in respect of agriculture, services and non-agricultural products, in particular those of interest to developing countries;

15. *Considers* that a desirable pace of meaningful trade liberalization, including in areas under negotiation; implementation of commitments on implementation-related issues and concerns; review of special and differential-treatment provisions, with a view to strengthening them and making them more precise, effective and operational; avoidance of new forms of protectionism; and capacity-building and technical assistance for developing countries are important issues in making progress towards the effective implementation of the right to development;

16. *Underlines* the fact that the international community is far from meeting the target set in the United Nations Millennium Declaration[370] of halving the number of people living in poverty by 2015, and emphasizes the principle of international cooperation, including partnership and commitment, between developed and developing countries towards achieving the goal;

17. *Recognizes* the important link between the international economic, commercial and financial spheres and the realization of the right to development, stresses, in this regard, the need to broaden the base of decision-making at the international level on issues of development concern and to fill organizational gaps, as well as strengthen the United Nations system and other multilateral institutions, and also stresses the need to broaden and strengthen the participation of developing countries and economies in transition in international economic decision-making and norm-setting;

18. *Recognizes also* that good governance and the rule of law at the national level assist all States in the promotion and protection of human rights, including the right to development, and agrees on the value of the ongoing efforts being made by States to identify and strengthen good governance practices, including transparent, responsible, accountable and participatory government, that are responsive and appropriate to their needs and aspirations, including in the context of agreed partnership approaches to development, capacity-building and technical assistance;

19. *Recognizes further* the important role and the rights of women and the application of a gender perspective as a cross-cutting issue in the process of realizing the right to development, and notes in particular the positive relationship between women's education and their equal participation in the civil, cultural, economic, political and social activities of the community and the promotion of the right to development;

20. *Stresses* the need for the integration of the rights of children, girls and boys alike, in all policies and programmes, and for ensuring the protection and promotion of those rights, especially in areas relating to health, education and the full development of their capacities;

21. *Stresses also* that further and additional measures must be taken at the national and international levels to fight HIV/AIDS and other communicable diseases, taking into account ongoing efforts and programmes, and reiterates the need for international assistance in this regard;

22. *Recognizes* the need for strong partnerships with civil society organizations and the private sector in pursuit of

poverty eradication and development, as well as for good corporate governance;

23. *Emphasizes* the urgent need for taking concrete measures to fight against all forms of corruption at the national and international levels, to prevent, detect and deter in a more effective manner international transfers of illicitly acquired assets and to strengthen international cooperation in asset recovery, stresses the importance of a genuine political commitment on the part of all Governments through a firm legal framework, and in this context urges States to sign and ratify the United Nations Convention against Corruption[374] as soon as possible;

24. *Looks forward* to the consideration by the Commission on Human Rights at its sixty-first session of the concept document to be prepared by the Subcommission on the Promotion and Protection of Human Rights establishing options for the implementation of the right to development and their feasibility;

25. *Emphasizes* the need to strengthen further the activities of the Office of the United Nations High Commissioner for Human Rights in the promotion and realization of the right to development, including ensuring effective use of the financial and human resources necessary to fulfil its mandate and better servicing of and support for the Working Group on the Right to Development;

26. *Requests* the Secretary-General to ensure that the Office of the High Commissioner effectively assists in implementing the recommendations contained in the conclusions of the third session of the Working Group on the Right to Development,[377] and to ensure also the meaningful participation and contribution of all relevant United Nations agencies, funds and programmes, the specialized agencies and international organizations in the next session of the Working Group;

27. *Calls upon* the United Nations agencies, funds and programmes, as well as the specialized agencies, to mainstream the right to development in their operational programmes and objectives, and stresses the need for the international financial and multilateral trading systems to mainstream the right to development in their policies and objectives;

28. *Requests* the Secretary-General to bring the present resolution to the attention of Member States, United Nations organs and bodies, specialized agencies, funds and programmes, international development and financial institutions, in particular the Bretton Woods institutions, and non-governmental organizations;

29. *Also requests* the Secretary-General to submit a report to the General Assembly at its fifty-ninth session and an interim report to the Commission on Human Rights at its sixtieth session on the implementation of the present resolution, including efforts undertaken at the national, regional and international levels in the promotion and realization of the right to development.

RESOLUTION 58/173

Adopted at the 77th plenary meeting, on 22 December 2003, on the recommendation of the Committee (A/58/508/Add.2, para. 131),[380] by a recorded vote of 174 to 2, with 4 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: Marshall Islands, United States of America

Abstaining: Australia, Czech Republic, Sweden, United Kingdom of Great Britain and Northern Ireland

58/173. The right of everyone to the enjoyment of the highest attainable standard of physical and mental health

The General Assembly,

Reaffirming the Universal Declaration of Human Rights,[381] the International Covenant on Economic, Social and Cultural Rights,[382] the International Convention on the

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[380] The draft resolution recommended in the report was sponsored in the Committee by: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Austria, Azerbaijan, Bolivia, Brazil, Burkina Faso, Cameroon, Canada, Cape Verde, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Cuba, Dominican Republic, Ecuador, El Salvador, Finland, France, Germany, Greece, Guatemala, Honduras, Ireland, Italy, Kenya, Liechtenstein, Lithuania, Mali, Mexico, Mozambique, Niger, Nigeria, Norway, Panama, Paraguay, Peru, Portugal, Saint Vincent and the Grenadines, Senegal, Sierra Leone, South Africa, Swaziland, Switzerland, Thailand, Timor-Leste, Togo, United Republic of Tanzania, Uruguay and Zambia.

[381] Resolution 217 A (III).

[382] See resolution 2200 A (XXI), annex.

Elimination of All Forms of Racial Discrimination,[383] the Convention on the Elimination of All Forms of Discrimination against Women[384] and the Convention on the Rights of the Child,[385]

Reaffirming also that the right of everyone to the enjoyment of the highest attainable standard of physical and mental health is a human right, and that such right derives from the inherent dignity of the human person,

Recalling that, according to the Constitution of the World Health Organization,[386] health is a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity,

Recognizing the need to progressively achieve the full realization of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health,

Recalling the relevant provisions of declarations and programmes of action adopted by the major United Nations conferences, summits and special sessions and at their follow-up meetings, in particular the four health-related development goals contained in the United Nations Millennium Declaration,[387]

Noting Commission on Human Rights resolution 2003/28 of 22 April 2003[388] and all previous resolutions adopted by the Commission concerning the realization of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health,

Welcoming the adoption of the World Health Organization Framework Convention on Tobacco Control by the fifty-sixth World Health Assembly, on 21 May 2003,[389]

Recognizing the important contribution of all regional and subregional intergovernmental initiatives regarding HIV/AIDS, including those aimed at strengthening horizontal technical cooperation and encouraging best practices,

Aware that for millions of people throughout the world the full realization of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health still remains a distant goal and that, in many cases, especially for those living in poverty, this goal is becoming increasingly remote,

Recognizing the need for States, in cooperation with international organizations and civil society, including non-governmental organizations and the private sector, to create favourable conditions at the national, regional and international levels to ensure the full and effective realization of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health,

Recognizing also, in this regard, the important role of civil society, including non-governmental organizations, and in particular that of people living with HIV/AIDS, in the fight against this pandemic,

Recognizing further the indispensable role that health professionals play in the promotion and protection of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health,

Welcoming the initiatives by the Secretary-General and relevant United Nations bodies and programmes, including the World Health Organization and the Joint United Nations Programme on HIV/AIDS, as well as public-private partnership initiatives, such as the Global Fund to Fight AIDS, Tuberculosis and Malaria, which contribute to improvements in addressing health issues worldwide, including in developing countries, while noting that further progress should be achieved in this regard, including in the mobilization of resources,

Concerned about the interrelationships between poverty and the realization of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, and in particular about the fact that ill health can be both a cause and a consequence of poverty,

Considering that sexual and reproductive health are integral elements of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health,

Recalling the Declaration on the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement) and Public Health adopted at the Fourth World Trade Organization Ministerial Conference in Doha in November 2001,[390] and welcoming the World Trade Organization General Council decision of 30 August 2003 on the implementation of paragraph 6 of the Declaration,[391]

1. *Urges* States to take steps, individually and through international assistance and cooperation, especially economic and technical, to the maximum extent of their available resources, with a view to achieving progressively, by all appropriate means, the full realization of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, including, in particular, the adoption of legislative measures;

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[383] Resolution 2106 A (XX), annex.

[384] Resolution 34/180, annex.

[385] Resolution 44/25, annex.

[386] United Nations, *Treaty Series*, vol. 14, No. 221.

[387] See resolution 55/2.

[388] See *Official Records of the Economic and Social Council, 2003, Supplement No. 3* (E/2003/23), chap. II, sect. A.

[389] See World Health Organization, *Fifty-sixth World Health Assembly, Geneva, 19–28 May 2003, Resolutions and Decisions, Annexes* (WHA56/2003/REC/1), resolution 56.1, annex.

[390] WT/MIN(01)/DEC/2. Available from http://docsonline.wto.org.

[391] WT/L/540. Available from http://docsonline.wto.org.

2. *Calls upon* the international community to continue to assist the developing countries in promoting the full realization of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, including through financial and technical support as well as training of personnel, while recognizing that the primary responsibility for promoting and protecting all human rights rests with States;

3. *Calls upon* States to guarantee that the right of everyone to the enjoyment of the highest attainable standard of physical and mental health will be exercised without discrimination of any kind;

4. *Reaffirms* that the achievement of the highest attainable level of health is a most important worldwide social goal, the realization of which requires action on the part of many other social and economic sectors in addition to the health sector;

5. *Affirms* that good governance at all levels, sound economic policies and solid democratic institutions responsive to the needs of the people are also key to the full realization of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health;

6. *Calls upon* States to pay special attention to the situation of vulnerable groups, including by the adoption of positive measures, in order to safeguard the full realization of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health;

7. *Also calls upon* States to place a gender perspective at the centre of all policies and programmes affecting women's health;

8. *Further calls upon* States to protect and promote sexual and reproductive health as integral elements of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health;

9. *Invites* States to consider signing and ratifying the World Health Organization Framework Convention on Tobacco Control;[389]

10. *Takes note with interest* of the interim report of the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health;[392]

11. *Also takes note with interest* of the approach proposed by the Special Rapporteur to encompass the responsibilities of States at all levels in his future work on how to evaluate the progressive realization of the right of everyone to the highest attainable standard of physical and mental health, and of his efforts to apply this approach to specialized areas of health care, such as essential medicines, sexual and reproductive health, HIV/AIDS, children's health and water and sanitation;

12. *Welcomes* the special attention given by the Special Rapporteur to the identification of good practices for the effective implementation of the right of everyone to the highest attainable standard of physical and mental health;

13. *Recognizes* the need for further international cooperation and research to promote the development of new drugs, vaccines and diagnostic tools for diseases causing a heavy burden in developing countries, and stresses the need to support developing countries in their efforts in this regard, taking into account that the failure of market forces to address such diseases has a direct negative impact on the progressive realization in these countries of the right of everyone to the highest attainable standard of physical and mental health;

14. *Requests* the United Nations High Commissioner for Human Rights to provide the necessary resources for the effective fulfilment of the mandate of the Special Rapporteur from within existing resources;

15. *Calls upon* Governments to cooperate fully with the Special Rapporteur in the implementation of his mandate, to provide all information requested and to respond promptly to his communications;

16. *Notes* the request of the Commission on Human Rights to the Special Rapporteur to submit annually a report to the Commission and an interim report to the General Assembly on the activities performed under his mandate;

17. *Requests* the Commission on Human Rights to continue consideration of this matter at its sixtieth session under the same agenda item.

RESOLUTION 58/174

Adopted at the 77th plenary meeting, on 22 December 2003, on the recommendation of the Committee (A/58/508/Add.2, para. 131),[393] by a recorded vote of 120 to 42, with 18 abstentions, as follows:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Brunei Darussalam, Burkina Faso, Cambodia, Cameroon, Cape Verde, Central African Republic, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Gabon, Gambia, Georgia, Ghana, Grenada, Guatemala,

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[392] E/CN.4/2003/58.

[393] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Azerbaijan, Belarus, Bhutan, Cameroon, China, Colombia, Cuba, Democratic Republic of the Congo, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Georgia, India, Indonesia, Kazakhstan, Kenya, Kyrgyzstan, Madagascar, Mauritania, Nepal, Nigeria, Pakistan, Peru, Philippines, Qatar, Russian Federation, Saudi Arabia, Senegal, Sri Lanka, Sudan, Swaziland, Tajikistan, Togo, Tunisia, Turkey, United Republic of Tanzania, Venezuela, Viet Nam and Zimbabwe.

Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Tajikistan, Thailand, Timor-Leste, Togo, Tonga, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: Albania, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Netherlands, Norway, Palau, Poland, Portugal, Republic of Korea, Romania, Serbia and Montenegro, Slovakia, Slovenia, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Andorra, Argentina, Armenia, Bolivia, Botswana, Brazil, Chile, Cyprus, Fiji, Israel, Japan, Nauru, New Zealand, Papua New Guinea, Republic of Moldova, San Marino, Spain, Syrian Arab Republic

58/174. Human rights and terrorism

The General Assembly,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights,[394] the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations[395] and the International Covenants on Human Rights,[396]

Recalling the Declaration on the Occasion of the Fiftieth Anniversary of the United Nations,[397] as well as the Declaration on Measures to Eliminate International Terrorism,[398]

Recalling also the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[399] in which the Conference reaffirmed that the acts, methods and practices of terrorism in all its forms and manifestations, as well as its linkage in some countries to drug trafficking, are activities aimed at the destruction of human rights, fundamental freedoms and democracy, threatening territorial integrity and the security of States and destabilizing legitimately constituted Governments, and that the international community should take the necessary steps to enhance cooperation to prevent and combat terrorism,

Recalling further the United Nations Millennium Declaration adopted by the General Assembly,[400]

Recalling, in this regard, the reference in the report of the Secretary-General on the implementation of the Millennium Declaration to the fact that terrorism itself is a violation of human rights and must be combated as such and that efforts at combating it must be pursued, however, in full compliance with established international norms,[401]

Recalling also its resolutions 48/122 of 20 December 1993, 49/185 of 23 December 1994, 50/186 of 22 December 1995, 52/133 of 12 December 1997, 54/109 and 54/110 of 9 December 1999, 54/164 of 17 December 1999, 55/158 of 12 December 2000, 56/160 of 19 December 2001 and 57/219 and 57/220 of 18 December 2002,

Recalling in particular that, in its resolution 52/133, it requested the Secretary-General to seek the views of Member States on the implications of terrorism in all its forms and manifestations for the full enjoyment of human rights and fundamental freedoms,

Recalling previous resolutions of the Commission on Human Rights,

Bearing in mind all other relevant General Assembly resolutions,

Bearing in mind also relevant Security Council resolutions,

Aware that, at the dawn of the twenty-first century, the world is witness to historic and far-reaching transformations, in the course of which forces of aggressive nationalism and religious and ethnic extremism continue to produce fresh challenges,

Alarmed that acts of terrorism in all its forms and manifestations aimed at the destruction of human rights have continued despite national and international efforts,

Bearing in mind that the right to life is the basic human right, without which a human being can exercise no other right,

Bearing in mind also that terrorism creates an environment that destroys the right of people to live in freedom from fear,

Reiterating that all States have an obligation to promote and protect all human rights and fundamental freedoms and to ensure effective implementation of their obligations under international law,

Seriously concerned about the gross violations of human rights perpetrated by terrorist groups,

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[394] Resolution 217 A (III).

[395] Resolution 2625 (XXV), annex.

[396] Resolution 2200 A (XXI), annex.

[397] See resolution 50/6.

[398] Resolution 49/60, annex.

[399] A/CONF.157/24 (Part I), chap. III.

[400] See resolution 55/2.

[401] See A/58/323, para. 28.

Expressing its deepest sympathy and condolences to all the victims of terrorism and their families,

Alarmed in particular at the possibility that terrorist groups may exploit new technologies to facilitate acts of terrorism, which may cause massive damage, including huge loss of human life,

Emphasizing the need to intensify the fight against terrorism at the national level, to enhance effective international cooperation in combating terrorism in conformity with international law, including relevant State obligations under international human rights and international humanitarian law, and to strengthen the role of the United Nations in this respect,

Emphasizing also that States shall deny safe haven to those who finance, plan, support or commit terrorist acts or provide safe havens,

Reaffirming that all measures to counter terrorism must be in strict conformity with international law, including international human rights standards and obligations,

Mindful of the need to protect the human rights of and guarantees for the individual in accordance with the relevant human rights principles and instruments, in particular the right to life,

Noting the growing consciousness within the international community of the negative effects of terrorism in all its forms and manifestations on the full enjoyment of human rights and fundamental freedoms and on the establishment of the rule of law and democratic freedoms as enshrined in the Charter of the United Nations and the International Covenants on Human Rights,

Noting also the developments that have occurred since its fifty-sixth session, on addressing the issue of human rights and terrorism at the national, regional and international levels,

1. *Reiterates its unequivocal condemnation* of the acts, methods and practices of terrorism in all its forms and manifestations as activities aimed at the destruction of human rights, fundamental freedoms and democracy, threatening the territorial integrity and security of States, destabilizing legitimately constituted Governments, undermining pluralistic civil society and having adverse consequences for the economic and social development of States;

2. *Strongly condemns* the violations of the right to life, liberty and security;

3. *Profoundly deplores* the increasing number of innocent persons, including women, children and the elderly, killed, massacred and maimed by terrorists in indiscriminate and random acts of violence and terror, which cannot be justified in any circumstances;

4. *Expresses its solidarity* with the victims of terrorism;

5. *Reaffirms* the decision of the heads of State and Government, as contained in the United Nations Millennium Declaration,[400] to take concerted action against international terrorism and to accede as soon as possible to all the relevant regional and international conventions;

6. *Urges* the international community to enhance cooperation at the regional and international levels in the fight against terrorism in all its forms and manifestations, in accordance with relevant international instruments, including those relating to human rights, with the aim of its eradication;

7. *Calls upon* States to take all necessary and effective measures, in accordance with relevant provisions of international law, including international human rights standards, to prevent, combat and eliminate terrorism in all its forms and manifestations, wherever and by whomever it is committed, and also calls upon States to strengthen, where appropriate, their legislation to combat terrorism in all its forms and manifestations;

8. *Urges* all States to deny safe haven to terrorists;

9. *Calls upon* States to take appropriate measures, in conformity with relevant provisions of national and international law, including international human rights standards, before granting refugee status, for the purpose of ensuring that an asylum-seeker has not planned, facilitated or participated in the commission of terrorist acts, including assassinations, and in this context urges those States that have granted refugee status or asylum to persons involved in or claiming to have committed acts of terrorism to review those situations;

10. *Condemns* the incitement to ethnic hatred, violence and terrorism;

11. *Stresses* that every person, regardless of nationality, race, sex, religion or any other distinction, has a right to protection from terrorism and terrorist acts;

12. *Expresses concern* about the growing connection between terrorist groups and other criminal organizations engaged in the illegal traffic in arms and drugs at the national and international levels, as well as the consequent commission of serious crimes such as murder, extortion, kidnapping, assault, the taking of hostages and robbery, and requests the relevant United Nations bodies to continue to give special attention to this question;

13. *Welcomes* the report of the Secretary-General on human rights and terrorism,[402] and requests him to continue to seek the views of Member States on the implications of terrorism in all its forms and manifestations for the full enjoyment of all human rights and fundamental freedoms and on the possible establishment of a voluntary fund for the victims

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[402] A/58/533.

of terrorism, as well as on ways and means to rehabilitate the victims of terrorism and to reintegrate them into society, with a view to incorporating his findings in his report to the General Assembly;

14. *Decides* to consider this question at its sixtieth session under the item entitled "Human rights questions".

RESOLUTION 58/175

Adopted at the 77th plenary meeting, on 22 December 2003, without a vote, on the recommendation of the Committee (A/58/508/Add.2, para. 131)[403]

58/175. National institutions for the promotion and protection of human rights

The General Assembly,

Recalling its resolutions and those of the Commission on Human Rights concerning national institutions for the promotion and protection of human rights,

Welcoming the rapidly growing interest throughout the world in the creation and strengthening of independent, pluralistic national institutions for the promotion and protection of human rights,

Convinced of the important role that such national institutions play and will continue to play in promoting and protecting human rights and fundamental freedoms and in developing and enhancing public awareness of those rights and freedoms,

Recognizing that the United Nations has played an important role and should continue to play a more important role in assisting the development of national institutions,

Recalling the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[404] which reaffirmed the important and constructive role played by national human rights institutions, in particular in their advisory capacity to the competent authorities and their role in remedying human rights violations, in disseminating information on human rights and in education in human rights,

Recalling also the Beijing Platform for Action,[405] in which Governments were urged to create or strengthen independent national institutions for the promotion and protection of human rights, including the human rights of women,

Noting the diverse approaches adopted throughout the world for the promotion and protection of human rights at the national level, emphasizing the universality, indivisibility and interdependence of all human rights, and emphasizing and recognizing the value of such approaches in promoting universal respect for and observance of human rights and fundamental freedoms,

Recalling the programme of action adopted by national institutions for the promotion and protection of human rights, meeting in Vienna from 14 to 16 June 1993[406] during the World Conference on Human Rights, in which it was recommended that United Nations activities and programmes should be reinforced to meet the requests for assistance from States wishing to establish or strengthen their national institutions for the promotion and protection of human rights,

Noting the valuable role played and contributions made by national institutions in United Nations meetings dealing with human rights and the importance of their continued appropriate participation,

Welcoming the strengthening in all regions of regional cooperation among national human rights institutions and between national human rights institutions and other regional human rights forums,

Noting with appreciation the existence of the regional human rights networks in Europe and Africa, the continuing work of the Network of National Institutions for the Promotion and Protection of Human Rights in the Americas and the work of the Asia Pacific Forum of National Human Rights Institutions,

Welcoming the strengthening of international cooperation among national human rights institutions, including through the International Coordinating Committee of National Institutions,

1. *Welcomes* the report of the Secretary-General;[407]

2. *Reaffirms* the importance of the development of effective, independent and pluralistic national institutions for the

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[403] The draft resolution recommended in the report was sponsored in the Committee by: Afghanistan, Albania, Argentina, Armenia, Australia, Bangladesh, Belarus, Benin, Bhutan, Bolivia, Brazil, Cameroon, Canada, Chile, Colombia, Congo, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Dominican Republic, Ecuador, Ethiopia, Fiji, Finland, France, Gambia, Germany, Ghana, Greece, Guyana, Haiti, Honduras, Hungary, India, Indonesia, Ireland, Italy, Japan, Kenya, Madagascar, Malawi, Malaysia, Malta, Mauritius, Mexico, Mongolia, Morocco, Nepal, New Zealand, Niger, Nigeria, Norway, Panama, Peru, Philippines, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Senegal, Sierra Leone, Slovakia, Slovenia, South Africa, Sri Lanka, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Tunisia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela and Zambia.

[404] A/CONF.157/24 (Part I), chap. III.

[405] *Report of the Fourth World Conference on Women, Beijing, 4–15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex II.

[406] See A/CONF.157/NI/6.

[407] A/58/261.

promotion and protection of human rights, in keeping with the principles relating to the status of national institutions for the promotion and protection of human rights ("the Paris Principles"), contained in the annex to resolution 48/134 of 20 December 1993;

3. *Reiterates*, on the tenth anniversary of their recognition by the General Assembly, the continued importance of the Paris Principles, recognizes the value of further strengthening their application, where appropriate, and encourages States, national institutions and other interested parties to consider ways to achieve this;

4. *Recognizes* that, in accordance with the Vienna Declaration and Programme of Action,[404] it is the right of each State to choose the framework for national institutions that is best suited to its particular needs at the national level in order to promote human rights in accordance with international human rights standards;

5. *Encourages* Member States to establish or, where they already exist, to strengthen national institutions for the promotion and protection of human rights, as outlined in the Vienna Declaration and Programme of Action;

6. *Welcomes* the growing number of States establishing or considering the establishment of national institutions for the promotion and protection of human rights;

7. *Encourages* national institutions for the promotion and protection of human rights established by Member States to continue to play an active role in preventing and combating all violations of human rights as enumerated in the Vienna Declaration and Programme of Action and relevant international instruments;

8. *Notes with satisfaction* the efforts of those States that have provided their national institutions with more autonomy and independence, including by giving them an investigative role or enhancing such a role, and encourages other Governments to consider taking similar steps;

9. *Reaffirms* the role of national institutions, where they exist, as appropriate agencies, inter alia, for the dissemination of human rights materials and other public information activities, including those of the United Nations, in particular in the context of the United Nations Decade for Human Rights Education, 1995–2004;

10. *Urges* the Secretary-General to continue to give high priority to requests from Member States for assistance in the establishment and strengthening of national human rights institutions as part of the United Nations Programme of Advisory Services and Technical Assistance in the Field of Human Rights;

11. *Commends* the high priority given by the Office of the United Nations High Commissioner for Human Rights to work on national institutions, encourages the High Commissioner, in view of the expanded activities relating to national institutions, to ensure that appropriate arrangements are made and budgetary resources provided to continue and further extend activities in support of national human rights institutions, and invites Governments to contribute additional funds to the United Nations Voluntary Fund for Technical Cooperation in the Field of Human Rights for that purpose;

12. *Welcomes* the establishment of a national institutions web site[408] as an important vehicle for the delivery of information to national institutions and for sharing best practice, and further notes with satisfaction the intention of the Office of the United Nations High Commissioner for Human Rights to publish a compendium of national legislation relevant to national institutions;

13. *Notes with appreciation* the increasingly active and important role of the International Coordinating Committee of National Institutions, as recognized in Commission on Human Rights resolution 1994/54 of 4 March 1994,[409] in close cooperation with the Office of the United Nations High Commissioner for Human Rights, in assisting Governments and national institutions, when requested, to follow up on relevant resolutions and recommendations concerning the strengthening of national institutions;

14. *Also notes with appreciation* the holding of regular meetings of the International Coordinating Committee and the arrangements for the participation of national human rights institutions in the annual sessions of the Commission on Human Rights;

15. *Requests* the Secretary-General to continue to provide the necessary assistance for holding meetings of the International Coordinating Committee during the sessions of the Commission on Human Rights, in cooperation with the Office of the United Nations High Commissioner for Human Rights;

16. *Welcomes* the continuation of the practice of national institutions convening regional meetings in some regions, and its initiation in others, and encourages national institutions, in cooperation with the United Nations High Commissioner for Human Rights, to organize similar events with Governments and non-governmental organizations in their own regions;

17. *Requests* the Secretary-General to continue to provide, including from the Voluntary Fund for Technical Cooperation, the necessary assistance for holding international and regional meetings of national institutions;

18. *Recognizes* the important and constructive role that non-governmental organizations may play, in cooperation with

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[408] www.nhri.net (National Human Rights Institutions Forum).

[409] See *Official Records of the Economic and Social Council, 1994, Supplement No. 4* and corrigendum (E/1994/24 and Corr.1), chap. II, sect. A.

national institutions, for better promotion and protection of human rights;

19. *Expresses its appreciation* to those Governments that have contributed additional resources for the purpose of the establishment and strengthening of national human rights institutions;

20. *Encourages* all Member States to take appropriate steps to promote the exchange of information and experience concerning the establishment and effective operation of national institutions;

21. *Encourages* all United Nations entities, funds and agencies to work in close cooperation with national institutions in the promotion and protection of human rights;

22. *Requests* the Secretary-General to report to the General Assembly at its sixtieth session on the implementation of the present resolution.

RESOLUTION 58/176

Adopted at the 77th plenary meeting, on 22 December 2003, without a vote, on the recommendation of the Committee (A/58/508/Add.2, para. 131)[410]

58/176. Subregional Centre for Human Rights and Democracy in Central Africa

The General Assembly,

Recalling its resolution 55/105 of 4 December 2000 concerning regional arrangements for the promotion and protection of human rights,

Recalling also its resolutions 55/34 B of 20 November 2000 and 55/233 of 23 December 2000 and section III of its resolution 55/234 of 23 December 2000,

Recalling further that the World Conference on Human Rights recommended that more resources be made available for the strengthening of regional arrangements for the promotion and protection of human rights under the programme of technical cooperation in the field of human rights of the Office of the United Nations High Commissioner for Human Rights,[411]

Recalling the report of the United Nations High Commissioner for Human Rights,[412]

Taking note of the holding of the twentieth ministerial meeting of the United Nations Standing Advisory Committee on Security Questions in Central Africa, in Malabo, from 27 to 31 October 2003,

1. *Welcomes* the activities of the Subregional Centre for Human Rights and Democracy in Central Africa at Yaoundé;

2. *Notes with satisfaction* the support provided for the establishment of the Centre by the host country;

3. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to continue to provide their full assistance for the proper functioning of the Centre;

4. *Requests* the Secretary-General to submit to the General Assembly at its fifty-ninth session a report on the implementation of the present resolution.

RESOLUTION 58/177

Adopted at the 77th plenary meeting, on 22 December 2003, without a vote, on the recommendation of the Committee (A/58/508/Add.2, para. 131)[413]

58/177. Protection of and assistance to internally displaced persons

The General Assembly,

Deeply disturbed by the alarmingly high numbers of internally displaced persons throughout the world, for reasons including armed conflict, violations of human rights and natural or human-made disasters, who receive inadequate protection and assistance, and conscious of the serious challenges that this is creating for the international community,

Conscious of the human rights and the humanitarian dimensions of the problem of internally displaced persons and the responsibilities of States and the international community to strengthen further their protection and assistance,

Emphasizing that States have the primary responsibility to provide protection and assistance to internally displaced persons within their jurisdiction as well as to address the root causes of the displacement problem in cooperation with the international community,

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[410] The draft resolution recommended in the report was sponsored in the Committee by: Angola, Benin, Burundi, Cameroon, Central African Republic, Chad, Congo, Democratic Republic of the Congo, Equatorial Guinea, Gabon, Niger, Rwanda and Sao Tome and Principe.

[411] See A/CONF.157/24 (Part I), chap. III.

[412] *Official Records of the General Assembly, Fifty-sixth Session, Supplement No. 36* and corrigendum (A/56/36 and Corr.1 and Add.1).

[413] The draft resolution recommended in the report was sponsored in the Committee by: Afghanistan, Albania, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Belgium, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Chile, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Finland, France, Georgia, Germany, Greece, Guatemala, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Mali, Malta, Mexico, Micronesia (Federated States of), Monaco, Mozambique, Netherlands, Niger, Norway, Panama, Papua New Guinea, Poland, Portugal, Republic of Korea, Republic of Moldova, San Marino, Serbia and Montenegro, Sierra Leone, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Ukraine, United Kingdom of Great Britain and Northern Ireland and United States of America.

Noting the growing awareness of the international community of the issue of internally displaced persons worldwide and the urgency of addressing the root causes of their displacement and finding durable solutions, including voluntary return in safety and with dignity, or local integration,

Recalling the relevant norms of international human rights law, international humanitarian law and international refugee law, and recognizing that the protection of internally displaced persons has been strengthened by identifying, reaffirming and consolidating specific standards for their protection, in particular through the Guiding Principles on Internal Displacement,[414]

Emphasizing the central role of the Emergency Relief Coordinator for the inter-agency coordination of protection of and assistance to internally displaced persons, and welcoming initiatives taken in order to ensure better protection, assistance and development strategies for internally displaced persons, as well as better coordination of activities regarding them,

Commending the Representative of the Secretary-General on internally displaced persons for the activities undertaken so far, for the catalytic role that he plays in raising the level of consciousness about the plight of internally displaced persons and for his efforts to promote a comprehensive strategy that focuses on prevention as well as better protection and assistance and addressing the development needs of internally displaced persons,

Taking note of Commission on Human Rights resolution 2003/51 of 23 April 2003,[415] and recalling the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25 June 1993,[416] regarding the need to develop global strategies to address the problem of internal displacement,

Deploring practices of forced displacement and their negative consequences for the enjoyment of human rights and fundamental freedoms by large groups of populations, and noting that the Rome Statute of the International Criminal Court[417] defines the deportation or forcible transfer of population as a crime against humanity and the unlawful deportation or transfer of the civilian population, as well as ordering the displacement of the civilian population, as war crimes,

Noting the increasing dissemination, promotion and application of the Guiding Principles on Internal Displacement when dealing with situations of internal displacement,

Welcoming the cooperation established between the Representative of the Secretary-General and the United Nations and other international and regional organizations, and encouraging further strengthening of this collaboration in order to promote better protection, assistance and development strategies for internally displaced persons,

Acknowledging with appreciation the important and independent contribution of the International Red Cross and Red Crescent Movement and other humanitarian agencies in protecting and assisting internally displaced persons, in cooperation with relevant international bodies,

Recalling its resolution 56/164 of 19 December 2001,

1. *Welcomes* the report of the Representative of the Secretary-General on internally displaced persons;[418]

2. *Expresses its appreciation* to those Governments and intergovernmental and non-governmental organizations that have provided protection and assistance to internally displaced persons and have supported the work of the Representative of the Secretary-General;

3. *Encourages* the Representative of the Secretary-General, through continuous dialogue with Governments and all intergovernmental and non-governmental organizations concerned, to continue his analysis of the causes of internal displacement, the needs and rights of those displaced, measures of prevention and ways to strengthen protection, assistance and solutions for internally displaced persons, taking into account specific situations, and to include information thereon in his reports to the Commission on Human Rights and the General Assembly;

4. *Expresses particular concern* at the grave problems faced by many internally displaced women and children, including violence and abuse, sexual exploitation, forced recruitment and abduction, and welcomes the commitment of the Representative of the Secretary-General to pay more systematic and in-depth attention to their particular assistance, protection and development needs, as well as to other groups with special needs such as older persons and persons with disabilities, taking into account the relevant resolutions of the General Assembly and bearing in mind Security Council resolution 1325 (2000) of 31 October 2000;

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[414] E/CN.4/1998/53/Add.2, annex.

[415] See *Official Records of the Economic and Social Council, 2003, Supplement No. 3* (E/2003/23), chap. II, sect. A.

[416] A/CONF.157/24 (Part I), chap. III.

[417] *Official Records of the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court, Rome, 15 June-17 July 1998*, vol. I: *Final documents* (United Nations publication, Sales No. E.02.I.5), sect. A.

[418] See A/58/393.

5. *Notes with appreciation* the increasing role of national human rights institutions in assisting internally displaced persons and in promoting and protecting their human rights;

6. *Notes* the importance of taking the human rights and the specific protection and assistance needs of internally displaced persons into consideration, when appropriate, in peace processes and reintegration and rehabilitation processes;

7. *Expresses its appreciation* of the Guiding Principles on Internal Displacement[414] as an important tool for dealing with situations of internal displacement, welcomes the fact that an increasing number of States, United Nations agencies and regional and non-governmental organizations are applying them as a standard, and encourages all relevant actors to make use of the Guiding Principles when dealing with situations of internal displacement;

8. *Welcomes* the fact that the Representative of the Secretary-General continues to use the Guiding Principles in his dialogue with Governments and intergovernmental and non-governmental organizations and other relevant actors, and requests him to continue his efforts to further the dissemination, promotion and application of the Guiding Principles;

9. *Urges* all Governments to continue to facilitate the activities of the Representative of the Secretary-General, in particular Governments with situations of internal displacement, and to give serious consideration to inviting the Representative to visit their countries so as to enable him to study and analyse more fully the issues involved, and thanks those Governments that have already done so;

10. *Invites* Governments to give serious consideration, in dialogue with the Representative of the Secretary-General, to the recommendations and suggestions addressed to them, in accordance with his mandate, and to inform him of measures taken thereon;

11. *Calls upon* Governments to provide protection and assistance, including reintegration and development assistance, to internally displaced persons, and to facilitate the efforts of relevant United Nations agencies and humanitarian organizations in these respects, including by further improving access to internally displaced persons;

12. *Emphasizes* the central role of the Emergency Relief Coordinator for the inter-agency coordination of protection of and assistance to internally displaced persons, notes the work of the Internal Displacement Unit within the Office for the Coordination of Humanitarian Affairs of the Secretariat, and encourages further strengthening of the collaboration with the Representative of the Secretary-General in line with the memorandum of understanding of 17 April 2002 between the Representative and the Emergency Relief Coordinator;

13. *Emphasizes also* the need to strengthen further inter-agency arrangements and the capacities of the United Nations agencies and other relevant actors to meet the immense humanitarian challenges of internal displacement, and underlines in this regard the importance of an effective, accountable and predictable collaborative approach;

14. *Encourages* all relevant United Nations agencies and humanitarian assistance, human rights and development organizations to enhance further their collaboration and coordination, through the Inter-Agency Standing Committee and in countries with situations of internal displacement, and to provide all possible assistance and support to the Representative of the Secretary-General;

15. *Notes with appreciation* the increased attention paid to the issue of internally displaced persons in the consolidated inter-agency appeals process, and encourages further efforts in this regard;

16. *Recognizes* the relevance of the global database on internally displaced persons advocated by the Representative of the Secretary-General, and encourages the members of the Inter-Agency Standing Committee and Governments to continue to collaborate and support this effort, including by providing relevant data on situations of internal displacement and financial resources;

17. *Welcomes* the initiatives undertaken by regional organizations, such as the African Union, the Organization of American States, the Organization for Security and Cooperation in Europe, the Intergovernmental Authority on Development, the Council of Europe, the Commonwealth and the Economic Community of West African States, to address the protection, assistance and development needs of internally displaced persons, and encourages them and other regional organizations to strengthen their activities and their cooperation with the Representative of the Secretary-General;

18. *Requests* the Secretary-General to provide his Representative, from within existing resources, with all necessary assistance to carry out his mandate effectively, and encourages the Representative to continue to seek the contributions of States, relevant organizations and institutions in order to create a more stable basis for his work;

19. *Requests* the Representative of the Secretary-General to prepare, for consideration by the General Assembly at its sixtieth session, a report on the implementation of the present resolution;

20. *Decides* to continue its consideration of the question of protection of and assistance to internally displaced persons at its sixtieth session.

RESOLUTION 58/178

Adopted at the 77th plenary meeting, on 22 December 2003, without a vote, on the recommendation of the Committee (A/58/508/Add.2, para. 131)[419]

58/178. Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms

The General Assembly,

Recalling its resolution 53/144 of 9 December 1998, by which it adopted by consensus the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, annexed to that resolution,

Reiterating the importance of the Declaration, and stressing the importance of its wide dissemination,

Recalling all previous resolutions on this subject, in particular its resolution 57/209 of 18 December 2002 and Commission on Human Rights resolution 2003/64 of 24 April 2003,[420]

Noting with deep concern that, in many countries, persons and organizations engaged in promoting and defending human rights and fundamental freedoms are facing threats, harassment and insecurity as a result of those activities,

Gravely concerned by the human rights violations committed against persons engaged in promoting and defending human rights and fundamental freedoms around the world,

Recalling that human rights defenders are entitled to equal protection of the law, and deeply concerned about any abuse of civil or criminal proceedings against them because of their activities for the promotion and protection of human rights and fundamental freedoms,

Concerned by the considerable number of communications received by the Special Representative of the Secretary-General on human rights defenders that, together with the reports submitted by some of the special procedure mechanisms, indicate the serious nature of the risks faced by human rights defenders, in particular those active at the local and community levels, and the severe consequences for women human rights defenders and defenders of rights of persons belonging to minorities,

Noting with deep concern that, in a number of countries in all regions of the world, impunity for threats, attacks and acts of intimidation against human rights defenders persists and that this has a negative impact on their work and safety,

Emphasizing the important role that individuals, non-governmental organizations and groups play in the promotion and protection of human rights and fundamental freedoms, including in combating impunity and in promoting, strengthening and preserving democracy,

Recalling that, under the International Covenant on Civil and Political Rights,[421] certain rights are recognized as non-derogable, and emphasizing that derogation from other rights and freedoms can take place only under strict observance of the agreed conditions and procedures identified under article 4 of the Covenant,

Gravely concerned that, in some instances, national security and counter-terrorism legislation and other measures have been misused to target human rights defenders or have hindered their work and safety in a manner contrary to international law,

Acknowledging the significant work conducted by the Special Representative of the Secretary-General during the first three years of her mandate,

Welcoming the cooperation between the Special Representative and other special procedures of the Commission on Human Rights,

Welcoming also regional initiatives for the promotion and protection of human rights and the cooperation between international and regional mechanisms for the protection of human rights defenders, and encouraging further development in this regard,

Recalling that the primary responsibility for promoting and protecting human rights rests with the State, and noting with deep concern that the activities of some non-State actors pose a major threat to the security of human rights defenders,

Emphasizing the need for strong and effective measures for the protection of human rights defenders,

1. *Calls upon* all States to promote and give full effect to the Declaration on the Right and Responsibility of

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[419] The draft resolution recommended in the report was sponsored in the Committee by: Albania, Andorra, Argentina, Armenia, Australia, Austria, Belgium, Benin, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Finland, France, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malta, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Morocco, Netherlands, New Zealand, Niger, Nigeria, Norway, Panama, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Senegal, Serbia and Montenegro, Sierra Leone, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America and Venezuela.

[420] See *Official Records of the Economic and Social Council, 2003, Supplement No. 3* (E/2003/23), chap. II, sect. A.

[421] See resolution 2200 A (XXI), annex.

Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, including by taking, as appropriate, practical steps to that end;

2. *Welcomes* the reports of the Special Representative of the Secretary-General on human rights defenders[422] and her contribution to the effective promotion of the Declaration and the improvement of the protection of human rights defenders worldwide;

3. *Encourages* all States to ensure and maintain an environment conducive to the work of human rights defenders;

4. *Condemns* all human rights violations committed against persons engaged in promoting and defending human rights and fundamental freedoms around the world, and urges States to take all appropriate action, consistent with the Declaration and all other relevant human rights instruments, to eliminate such human rights violations;

5. *Calls upon* all States to take all necessary measures to ensure the protection of human rights defenders, at both the local and the national levels;

6. *Urges* States to ensure that any measures to combat terrorism and preserve national security comply with their obligations under international law, in particular under international human rights law, and do not hinder the work and safety of human rights defenders;

7. *Emphasizes* the importance of combating impunity, and in this regard urges States to take appropriate measures to address the question of impunity for threats, attacks and acts of intimidation against human rights defenders;

8. *Urges* all Governments to cooperate with and assist the Special Representative in the performance of her tasks and to furnish all information in the fulfilment of her mandate upon request;

9. *Calls upon* Governments to give serious consideration to responding favourably to the requests of the Special Representative to visit their countries, and urges them to enter into a constructive dialogue with the Special Representative with respect to the follow-up to her recommendations, so as to enable her to fulfil her mandate even more effectively;

10. *Urges* those Governments that have not yet responded to the communications transmitted to them by the Special Representative to answer without further delay;

11. *Invites* Governments to consider translating the Declaration into national languages, and encourages them to disseminate it widely;

12. *Requests* all concerned United Nations agencies and organizations, within their mandates, to provide all possible assistance and support to the Special Representative in the implementation of her programme of activities;

13. *Invites* relevant United Nations bodies, including at the country level, within their mandates and working in cooperation with States, to give due consideration to the Declaration and to the reports of the Special Representative, and requests the Office of the United Nations High Commissioner for Human Rights to draw the attention of all relevant United Nations bodies, including at the country level, to the reports of the Special Representative;

14. *Requests* the Secretary-General to provide the Special Representative with all necessary human, material and financial resources in order to enable her to continue to carry out her mandate effectively, including through country visits;

15. *Decides* to consider this question at its fifty-ninth session under the item entitled "Human rights questions".

RESOLUTION 58/179

Adopted at the 77th plenary meeting, on 22 December 2003, on the recommendation of the Committee (A/58/508/Add.2, para. 131),[423] by a recorded vote of 181 to 1, with no abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Mozambique,

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[422] E/CN.4/2001/94 and E/CN.4/2002/106 and Add.1 and 2; see also A/56/341 and A/57/182.

[423] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Angola, Antigua and Barbuda, Argentina, Austria, Barbados, Belgium, Benin, Bolivia, Botswana, Brazil, Burkina Faso, Burundi, Cameroon, Canada, Cape Verde, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, El Salvador, Ethiopia, Fiji, Gabon, Ghana, Grenada, Guatemala, Haiti, Honduras, Indonesia, Ireland, Jamaica, Kenya, Lesotho, Lithuania, Luxembourg, Madagascar, Malawi, Mali, Mauritania, Mauritius, Mexico, Monaco, Morocco, Mozambique, Namibia, Nicaragua, Niger, Nigeria, Panama, Paraguay, Peru, Philippines, Portugal, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Senegal, Sierra Leone, Somalia, South Africa, Swaziland, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Uganda, United Republic of Tanzania, Uruguay, Zambia and Zimbabwe.

Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: United States of America

Abstaining: None

58/179. Access to medication in the context of pandemics such as HIV/AIDS, tuberculosis and malaria

The General Assembly,

Reaffirming the Universal Declaration of Human Rights[424] and the International Covenant on Economic, Social and Cultural Rights,[425]

Reaffirming also that the right of everyone to the enjoyment of the highest attainable standard of physical and mental health is a human right,

Recalling Commission on Human Rights resolutions 2001/33 of 23 April 2001,[426] 2002/32 of 22 April 2002[427] and 2003/29 of 22 April 2003,[428]

Acknowledging that prevention and comprehensive care and support, including treatment and access to medication for those infected and affected by pandemics such as HIV/AIDS, tuberculosis and malaria, are inseparable elements of an effective response and must be integrated into a comprehensive approach to respond to such pandemics,

Stressing the importance of fully implementing the Declaration of Commitment on HIV/AIDS, "Global Crisis – Global Action",[429] and taking note of the report of the Secretary-General,[430]

Welcoming the continuing political commitment demonstrated at the high-level plenary meetings of the General Assembly devoted to the follow-up to the outcome of its twenty-sixth special session and the implementation of the Declaration of Commitment on HIV/AIDS, "Global Crisis – Global Action", held on 22 September 2003,

Expressing its support for the work of the Global Fund to Fight AIDS, Tuberculosis and Malaria and that of other international bodies combating such pandemics,

Bearing in mind World Health Assembly resolutions WHA55.12 and WHA55.14, both of 18 May 2002,[431] and WHA56.30 of 28 May 2003,[432]

Bearing in mind also the International Labour Organization Code of Practice on HIV/AIDS and the World of Work, adopted by the Governing Body of the International Labour Organization in June 2001,[433]

Taking note of general comment No. 14 (2000) on the right to the highest attainable standard of physical and mental health (article 12 of the International Covenant on Economic, Social and Cultural Rights), adopted by the Committee on Economic, Social and Cultural Rights at its twenty-second session,[434]

Taking note also of general comment No. 3 (2003) on HIV/AIDS and the rights of the child, adopted by the Committee on the Rights of the Child at its thirty-second session,[435]

Alarmed that the HIV/AIDS pandemic claimed 3.1 million lives in 2002, that about 42 million people were living with HIV by the end of 2002 and that 25 million children under the age of 15, including 20 million in Africa, are projected to lose one or both parents by 2010 owing to HIV/AIDS,

Fully aware that the failure to deliver antiretroviral treatment for HIV/AIDS to the millions of people who need it is a global health emergency,

Recalling its resolution 57/294 of 20 December 2002, entitled "2001–2010: Decade to Roll Back Malaria in Developing Countries, Particularly in Africa",

Alarmed that, according to the global Roll Back Malaria Partnership, malaria annually causes more than 1 million deaths, around 90 per cent of which are in Africa, that it is the leading cause of death in young children and that it causes at least 300 million cases of acute illness each year,

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[424] Resolution 217 A (III).

[425] See resolution 2200 A (XXI), annex.

[426] See *Official Records of the Economic and Social Council, 2001, Supplement No. 3* (E/2001/23), chap. II, sect. A.

[427] Ibid., *2002, Supplement No. 3* (E/2002/23), chap. II, sect. A.

[428] Ibid., *2003, Supplement No. 3* (E/2003/23), chap. II, sect. A.

[429] Resolution S-26/2, annex.

[430] A/58/184.

[431] See World Health Organization, *Fifty-fifth World Health Assembly, Geneva, 13–18 May 2002, Resolutions and Decisions, Annexes* (WHA55/2002/REC/1).

[432] Ibid., *Fifty-sixth World Health Assembly, Geneva, 19–28 May 2003, Resolutions and Decisions, Annexes* (WHA56/2003/REC/1).

[433] ILO/AIDS/2001/2.

[434] *Official Records of the Economic and Social Council, 2001, Supplement No. 2* (E/2001/22), annex IV.

[435] CRC/GC/2003/3.

Also alarmed that, according to the World Health Organization global tuberculosis control report of 2003,[436] tuberculosis kills about 2 million people each year, that 7 to 8 million people around the world become sick with tuberculosis each year and that it is projected that 36 million people will die of tuberculosis between 2002 and 2020 if control is not further strengthened,

Acknowledging the significance of HIV/AIDS in the increase in tuberculosis and other opportunistic diseases,

Welcoming the initiatives of the Secretary-General and relevant United Nations agencies, States and civil society, including the private sector, to make drugs related to HIV/AIDS, tuberculosis and malaria more accessible and affordable to infected persons, especially in developing countries, and noting that much more could be done in this regard,

Recalling the Declaration on the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement) and Public Health adopted at the Fourth World Trade Organization Ministerial Conference in Doha in November 2001,[437] and welcoming the World Trade Organization General Council decision of 30 August 2003 on the implementation of paragraph 6 of the Declaration,[438]

Recognizing that the spread of HIV/AIDS can have a uniquely devastating impact on all sectors and levels of society, and stressing that the HIV/AIDS pandemic, if unchecked, may pose a risk to stability and security, as stated in Security Council resolution 1308 (2000) of 17 July 2000,

Emphasizing, in view of the increasing challenges presented by pandemics such as HIV/AIDS, tuberculosis and malaria, the need for intensified efforts to ensure universal respect for and observance of human rights and fundamental freedoms for all, including by reducing vulnerability to pandemics such as HIV/ AIDS, tuberculosis and malaria and by preventing related discrimination and stigma,

1. *Recognizes* that access to medication in the context of pandemics such as HIV/AIDS, tuberculosis and malaria is one fundamental element for achieving progressively the full realization of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health;

2. *Welcomes* the commitment of the World Health Organization and the Joint United Nations Programme on HIV/AIDS to work with the international community to support developing countries in achieving the global target of providing antiretroviral medicines to 3 million people infected with HIV/AIDS by the end of 2005, the "3 by 5" target;

3. *Takes note with interest* of the interim report of the Special Rapporteur of the Commission on Human Rights on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health;[439]

4. *Calls upon* States to develop and implement national strategies, in accordance with applicable international law, including international agreements acceded to, to progressively realize access for all to prevention-related goods, services and information as well as access to comprehensive treatment, care and support for all individuals infected and affected by pandemics such as HIV/AIDS, tuberculosis and malaria;

5. *Also calls upon* States to establish or strengthen national health and social infrastructures and health-care systems, with the assistance of the international community as necessary, for the effective delivery of prevention, treatment, care and support to respond to pandemics such as HIV/AIDS, tuberculosis and malaria;

6. *Further calls upon* States to pursue policies, in accordance with applicable international law, including international agreements acceded to, which would promote:

(*a*) The availability in sufficient quantities of pharmaceutical products and medical technologies used to treat pandemics such as HIV/AIDS, tuberculosis and malaria or the most common opportunistic infections that accompany them;

(*b*) The accessibility and affordability for all, without discrimination, including the most vulnerable or socially disadvantaged groups of the population, of pharmaceutical products or medical technologies used to treat pandemics such as HIV/AIDS, tuberculosis and malaria or the most common opportunistic infections that accompany them;

(*c*) The assurance that pharmaceutical products or medical technologies used to treat pandemics such as HIV/AIDS, tuberculosis and malaria or the most common opportunistic infections that accompany them, irrespective of their sources and countries of origin, are scientifically and medically appropriate and of good quality;

7. *Calls upon* States, at the national level, on a non-discriminatory basis, in accordance with applicable international law, including international agreements acceded to:

(*a*) To refrain from taking measures that would deny or limit equal access for all persons to preventive, curative or palliative pharmaceutical products or medical technologies used to treat pandemics such as HIV/AIDS, tuberculosis and malaria or the most common opportunistic infections that accompany them;

(*b*) To adopt and implement legislation or other measures, in accordance with applicable international law, including international agreements acceded to, to safeguard access to such preventive, curative or palliative pharmaceutical products or medical technologies from any limitations by third parties;

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[436] WHO/CDS/TB/2003/316.

[437] WT/MIN(01)/DEC/2. Available from http://docsonline.wto.org.

[438] WT/L/540. Available from http://docsonline.wto.org.

[439] See A/58/427.

(*c*) To adopt all appropriate positive measures, to the maximum of the resources allocated for this purpose, to promote effective access to such preventive, curative or palliative pharmaceutical products or medical technologies;

8. *Also calls upon* States, in furtherance of the Declaration of Commitment on HIV/AIDS,[429] to address factors affecting the provision of drugs related to the treatment of pandemics such as HIV/AIDS and the most common opportunistic infections that accompany them, as well as to develop integrated strategies to strengthen health-care systems, including voluntary counselling and testing, laboratory capacities and the training of health-care providers and technicians, in order to provide treatment and monitor the use of medications, diagnostics and related technologies;

9. *Further calls upon* States to take all appropriate measures, nationally and through cooperation, to promote the research and development of new and more effective preventive, curative or palliative pharmaceutical products and diagnostic tools, in accordance with applicable international law, including international agreements acceded to;

10. *Calls upon* States, at the international level, to take steps, individually and/or through international cooperation, in accordance with applicable international law, including international agreements acceded to, such as:

(*a*) Facilitating, wherever possible, access in other countries to essential preventive, curative or palliative pharmaceutical products or medical technologies used to treat pandemics such as HIV/AIDS, tuberculosis and malaria or the most common opportunistic infections that accompany them, as well as extending the necessary cooperation, wherever possible, especially in times of emergency;

(*b*) Ensuring that their actions, as members of international organizations, take due account of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health and that the application of international agreements is supportive of public health policies that promote broad access to safe, effective and affordable preventive, curative or palliative pharmaceutical products or medical technologies;

11. *Welcomes* the financial contributions made to date to the Global Fund to Fight AIDS, Tuberculosis and Malaria, urges that further contributions be made to sustain the Fund, and calls upon all States to encourage the private sector to contribute to the Fund as a matter of urgency;

12. *Calls upon* the Joint United Nations Programme on HIV/AIDS to mobilize further resources to combat the HIV/AIDS pandemic and upon all Governments to take measures to ensure that the necessary resources are made available to the Programme, in line with the Declaration of Commitment on HIV/AIDS;

13. *Calls upon* States to ensure that those at risk of contracting malaria, in particular pregnant women and children under 5 years of age, benefit from the most suitable combination of personal and community protective measures, such as insecticide-treated bed nets and other interventions that are accessible and affordable, in order to prevent infection and suffering;

14. *Also calls upon* States to provide the necessary support for the World Health Organization Roll Back Malaria and Stop Tuberculosis Partnerships in their ongoing measures to combat malaria and tuberculosis;

15. *Calls upon* the international community, in particular the developed countries, to continue to assist developing countries in the fight against pandemics such as HIV/AIDS, tuberculosis and malaria, through financial and technical support as well as through the training of personnel;

16. *Invites* the Committee on Economic, Social and Cultural Rights to give attention to the issue of access to medication in the context of pandemics such as HIV/AIDS, tuberculosis and malaria, and invites States to include appropriate information thereon in the reports they submit to the Committee.

RESOLUTION 58/180

Adopted at the 77th plenary meeting, on 22 December 2003, on the recommendation of the Committee (A/58/508/Add.2, para. 131),[440] by a recorded vote of 169 to none, with 8 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile,

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[440] The draft resolution recommended in the report was sponsored in the Committee by: Afghanistan, Albania, Andorra, Argentina, Armenia, Australia, Austria, Azerbaijan, Bangladesh, Belgium, Benin, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Cambodia, Canada, Cape Verde, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Fiji, Finland, France, Georgia, Germany, Ghana, Greece, Guatemala, Honduras, Hungary, Iceland, India, Ireland, Israel, Italy, Japan, Kazakhstan, Kenya, Latvia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Mali, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Monaco, Nauru, Netherlands, New Zealand, Nicaragua, Norway, Palau, Panama, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Vincent and the Grenadines, San Marino, Senegal, Serbia and Montenegro, Sierra Leone, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Togo, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America and Venezuela.

Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Latvia, Lebanon, Lesotho, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Mozambique, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Tuvalu, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Uzbekistan, Venezuela, Yemen, Zambia, Zimbabwe

Against: None

Abstaining: Brunei Darussalam, China, Cuba, Democratic People's Republic of Korea, Libyan Arab Jamahiriya, Myanmar, Syrian Arab Republic, Viet Nam

58/180. Strengthening the role of the United Nations in enhancing the effectiveness of the principle of periodic and genuine elections and the promotion of democratization

The General Assembly,

Recalling its previous resolutions on the subject, in particular resolution 56/159 of 19 December 2001,

Reaffirming that United Nations electoral assistance and support for the promotion of democratization are provided only at the specific request of the Member State concerned,

Noting with satisfaction that increasing numbers of Member States are using elections as a peaceful means of discerning the will of the people, which builds confidence in representational governance and contributes to greater national peace and stability,

Recalling the Universal Declaration of Human Rights, adopted on 10 December 1948,[441] in particular the principle that the will of the people, as expressed through periodic and genuine elections, shall be the basis of government authority, as well as the right freely to choose representatives through periodic and genuine elections, which shall be by universal and equal suffrage and held by secret vote or by equivalent free voting procedures,

Noting with interest Commission on Human Rights resolution 2003/36 of 23 April 2003,[442]

Recognizing the need for strengthening democratic processes, electoral institutions and national capacity-building, including the capacity to administer fair elections, increase citizen participation and provide civic education in requesting countries in order to consolidate and regularize the achievements of previous elections and support subsequent elections,

Welcoming the support provided by States to the electoral assistance activities of the United Nations, inter alia, through the provision of electoral experts, including electoral commission staff, and observers, as well as through contributions to the United Nations Trust Fund for Electoral Observation,

Welcoming also the contributions made by international and regional organizations and also by non-governmental organizations to enhancing the effectiveness of the principle of periodic and genuine elections and the promotion of democratization,

Having considered the report of the Secretary-General on United Nations activities aimed at enhancing the effectiveness of the principle of periodic and genuine elections and the promotion of democratization,[443]

1. *Welcomes* the report of the Secretary-General;[443]

2. *Commends* the electoral assistance provided upon request to Member States by the United Nations, and requests that such assistance continue on a case-by-case basis in accordance with the evolving needs of requesting countries to develop, improve and refine their electoral institutions and processes, recognizing that the fundamental responsibility of organizing free and fair elections lies with Governments;

3. *Requests* the Electoral Assistance Division of the Department of Political Affairs of the Secretariat, in its role as coordinator of United Nations electoral assistance, to continue to inform Member States regularly about the requests received and the nature of any assistance provided;

4. *Requests* that the United Nations continue its efforts to ensure, before undertaking to provide electoral assistance to a requesting State, that there is adequate time to organize and carry out an effective mission for providing such assistance, including the provision of long-term technical cooperation, that conditions exist to allow a free and fair election and that the mission's results will be reported comprehensively and consistently;

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[441] Resolution 217 A (III).

[442] See *Official Records of the Economic and Social Council, 2003, Supplement No. 3* (E/2003/23), chap. II, sect. A.

[443] A/58/212.

5. *Recommends* that, throughout the time span of the entire electoral process, including before and after elections, as appropriate, based on needs assessment missions, the United Nations continue to provide technical advice and other assistance to requesting States and electoral institutions in order to help to strengthen their democratic processes;

6. *Notes with appreciation* additional efforts being made to enhance cooperation with other international, governmental and non-governmental organizations in order to facilitate more comprehensive and needs-specific responses to requests for electoral assistance, and encourages those organizations to share knowledge and experience in order to promote best practices in the assistance they provide and in the reporting they make on electoral processes, and expresses its appreciation to those Member States, regional organizations and non-governmental organizations that have provided observers or technical experts in support of United Nations electoral assistance efforts;

7. *Recalls* the establishment by the Secretary-General of the United Nations Trust Fund for Electoral Observation, and calls upon Member States to consider contributing to the Fund;

8. *Encourages* the Secretary-General, through the Electoral Assistance Division, to continue responding to the evolving nature of requests for assistance and the growing need for specific types of medium-term expert assistance aimed at supporting and strengthening the existing capacity of the requesting Government, in particular through enhancing the capacity of national electoral institutions;

9. *Requests* the Secretary-General to provide the Electoral Assistance Division with adequate human and financial resources to allow it to carry out its mandate, and to continue to ensure that the Office of the United Nations High Commissioner for Human Rights is able to respond, within its mandate and in close coordination with the Division, to the numerous and increasingly complex and comprehensive requests from Member States for advisory services;

10. *Notes with satisfaction* the comprehensive coordination between the Electoral Assistance Division and the United Nations Development Programme, and encourages further engagement of the Office of the United Nations High Commissioner for Human Rights in this context;

11. *Requests* the United Nations Development Programme to continue its governance assistance programmes in cooperation with other relevant organizations, in particular those that strengthen democratic institutions and linkages between civil society and Governments;

12. *Reiterates* the importance of reinforced coordination within and outside the United Nations system in this regard;

13. *Requests* the Secretary-General to report to the General Assembly at its sixtieth session on the implementation of the present resolution, in particular on the status of requests from Member States for electoral assistance, and on his efforts to enhance support by the Organization for the democratization process in Member States.

RESOLUTION 58/181

Adopted at the 77th plenary meeting, on 22 December 2003, without a vote, on the recommendation of the Committee (A/58/508/Add.2, para. 131)[444]

58/181. United Nations Decade for Human Rights Education, 1995–2004

The General Assembly,

Guided by the fundamental and universal principles enshrined in the Charter of the United Nations and the Universal Declaration of Human Rights,[445]

Reaffirming article 26 of the Universal Declaration, which states that "education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms", and recalling the provisions of other relevant international human rights instruments that reflect the aims of the article,

Recalling the relevant resolutions adopted by the General Assembly and the Commission on Human Rights concerning the United Nations Decade for Human Rights Education, 1995–2004,

Believing that human rights education constitutes an important vehicle for the elimination of gender-based discrimination and for ensuring equal opportunities through the promotion and protection of the human rights of women,

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[444] The draft resolution recommended in the report was sponsored in the Committee by: Albania, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bangladesh, Belarus, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Chile, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, El Salvador, Estonia, Ethiopia, Fiji, Finland, France, Gambia, Germany, Ghana, Greece, Guatemala, Hungary, India, Ireland, Israel, Italy, Japan, Jordan, Kazakhstan, Kenya, Latvia, Lebanon, Lesotho, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Mali, Malta, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Mozambique, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Vincent and the Grenadines, San Marino, Senegal, Serbia and Montenegro, Sierra Leone, Slovakia, Slovenia, South Africa, Spain, Swaziland, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Venezuela and Zambia.

[445] Resolution 217 A (III).

Convinced that human rights education should constitute a comprehensive, lifelong process by which all people learn respect for the dignity of others and the means and methods of ensuring that respect in all societies,

Convinced also that every woman, man and child, in order to realize their full human potential, must be made aware of all their human rights and fundamental freedoms and the corresponding responsibility of States,

Recognizing that human rights education is essential to the realization of human rights and fundamental freedoms and that carefully designed training, dissemination and information programmes can have a catalytic effect on national, regional and international initiatives to promote and protect human rights and prevent human rights violations,

Convinced that human rights education contributes to a holistic concept of development consistent with the dignity of people of all ages, which contributes to the promotion of the rights of those in the most vulnerable segments of society, such as children, young persons, older persons, indigenous people, minorities, the rural and urban poor, migrant workers, refugees, persons with HIV/AIDS and disabled persons,

Convinced also that the effectiveness of existing human rights education and public information activities would be enhanced by better coordination and cooperation at the national, regional and international levels,

Recognizing the invaluable, creative and active role that non-governmental and community-based organizations play in the promotion and protection of human rights by disseminating information and engaging in human rights education, especially at the grass-roots level,

Aware of the potential role of the private sector in human rights education through financial support for governmental and non-governmental activities as well as their own creative and effective initiatives,

Noting with appreciation the efforts undertaken thus far by the Office of the United Nations High Commissioner for Human Rights to implement the Plan of Action for the United Nations Decade for Human Rights Education, 1995–2004,[446] and to increase information-sharing in the area of human rights education,

Welcoming other United Nations public information activities in the field of human rights,

Noting Commission on Human Rights resolution 2003/70 of 25 April 2003,[447] in which the Commission requested the Office of the High Commissioner, jointly with the United Nations Educational, Scientific and Cultural Organization, to report on the achievements and shortcomings of the current United Nations Decade for Human Rights Education,

1. *Notes with appreciation* the report of the United Nations High Commissioner for Human Rights on education and public information activities in the field of human rights;[448]

2. *Welcomes* the steps taken by Governments and intergovernmental and non-governmental organizations to implement the Plan of Action for the United Nations Decade for Human Rights Education, 1995–2004,[446] and to develop public information activities in the field of human rights;

3. *Urges* all Governments to promote the development of comprehensive, participatory and sustainable national strategies for human rights education and to establish and strengthen in their education policies knowledge of human rights, in both its theoretical dimensions and its practical applications;

4. *Also urges* all Governments to intensify their efforts to contribute to the implementation of the Plan of Action and, in particular, to implement the suggestions in relevant resolutions adopted by the General Assembly and the Commission on Human Rights regarding possible activities to be included in national strategies for human rights education;

5. *Encourages* Governments to support further, through voluntary contributions, the education and public information efforts undertaken by the Office of the High Commissioner within the framework of the Plan of Action;

6. *Encourages* the Office of the High Commissioner to continue to support national capacities for human rights education and information through its technical cooperation programme in the field of human rights;

7. *Urges* the Department of Public Information of the Secretariat to continue to utilize United Nations information centres for the timely dissemination of basic information, reference and audio-visual materials on human rights and fundamental freedoms;

8. *Requests* the High Commissioner to continue to coordinate and harmonize human rights education and information strategies and the implementation of the Plan of Action and the World Public Information Campaign on Human Rights within the United Nations system, in cooperation with, inter alia, the United Nations Educational, Scientific and Cultural Organization and the Department of Public Information, and to ensure maximum effectiveness and efficiency in the collection, use, processing, management and distribution of human rights information and educational materials, including through electronic means;

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[446] A/51/506/Add.1, appendix.

[447] See *Official Records of the Economic and Social Council, 2003, Supplement No. 3* (E/2003/23), chap. II, sect. A.

[448] See A/58/318.

9. *Encourages* all relevant organs, bodies and agencies of the United Nations system to provide training in human rights for all United Nations personnel and officials;

10. *Encourages* the human rights treaty bodies, within their mandates, when examining reports of States parties, to consider the activities of States parties in the area of human rights education;

11. *Encourages* all relevant mechanisms of the Commission on Human Rights to include systematically in their reports a specific section on human rights education, as relevant to their mandate, as well as to include human rights education as an item on the agenda of their annual meetings, with a view to strengthening their contribution to human rights education;

12. *Calls upon* international, regional and national non-governmental organizations and intergovernmental organizations to develop human rights education programmes in implementing the Plan of Action;

13. *Welcomes* initiatives to include civil society, non-governmental organizations, children and youth in national delegations to United Nations meetings as an important component of human rights education;

14. *Encourages* Governments, regional organizations and intergovernmental and non-governmental organizations to seek the cooperation of the private sector, development, trade and financial institutions and the media in developing human rights education strategies;

15. *Encourages* regional organizations to develop strategies for the wider distribution of materials on human rights education in all relevant languages and to maximize the participation of national entities in regional programmes on human rights education;

16. *Requests* the High Commissioner to bring the present resolution to the attention of all members of the international community and of intergovernmental and non-governmental organizations concerned with human rights education and public information;

17. *Decides* to dedicate a plenary meeting during the fifty-ninth session of the General Assembly on the occasion of Human Rights Day, 10 December 2004, structured as an interactive dialogue to review the achievements of the United Nations Decade for Human Rights Education, 1995–2004, and to discuss possible future activities for the enhancement of human rights education.

RESOLUTION 58/182

Adopted at the 77th plenary meeting, on 22 December 2003, without a vote, on the recommendation of the Committee (A/58/508/Add.2, para. 131)[449]

58/182. Effective promotion of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities

The General Assembly,

Recalling its resolution 47/135 of 18 December 1992, as well as its subsequent resolutions on the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities,

Considering that the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities contributes to political and social stability and peace and enriches the cultural diversity and heritage of society as a whole in the States in which such persons live,

Concerned by the frequency and severity of disputes and conflicts concerning minorities and their often tragic consequences, and concerned also that persons belonging to minorities are particularly vulnerable to displacement,

Recognizing that the effective promotion and protection of the rights of persons belonging to minorities is a fundamental part of the promotion and protection of human rights, and acknowledging that measures in this area can also contribute significantly to conflict prevention,

Emphasizing the role that national institutions can play in early warning for problems regarding minority situations,

Emphasizing also the importance of human rights education as an effective tool to promote an inclusive society and understanding of and tolerance towards and among persons belonging to minorities,

Acknowledging that the United Nations has an important role to play regarding the protection of minorities by, inter alia, taking due account of and giving effect to the Declaration,

Noting that the Working Group on Minorities of the Subcommission on the Promotion and Protection of Human

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[449] The draft resolution recommended in the report was sponsored in the Committee by: Andorra, Argentina, Armenia, Australia, Austria, Belarus, Benin, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Cape Verde, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Ecuador, El Salvador, Eritrea, Ethiopia, Finland, Georgia, Greece, Guatemala, Hungary, Iceland, Ireland, Italy, Liechtenstein, Lithuania, Luxembourg, Malta, Mauritius, Monaco, Netherlands, Norway, Panama, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, San Marino, Serbia and Montenegro, Slovakia, Slovenia, South Africa, Sudan, Suriname, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Ukraine and United Kingdom of Great Britain and Northern Ireland.

Rights held its eighth and ninth sessions from 27 to 31 May 2002 and 12 to 16 May 2003, respectively,

1. *Takes note* of the report of the Secretary-General;[450]

2. *Recognizes* that respect for human rights and the promotion of understanding and tolerance by Governments as well as between and among minorities are central to the promotion and protection of the rights of persons belonging to minorities;

3. *Reaffirms* the obligation of States to ensure that persons belonging to minorities may exercise fully and effectively all human rights and fundamental freedoms without any discrimination and in full equality before the law, in accordance with the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities,[451] and as emphasized at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held at Durban, South Africa, from 31 August to 8 September 2001;

4. *Encourages* States, in their follow-up to the World Conference, to include aspects relating to minorities in their national plans of action and, in this context, to take forms of multiple discrimination fully into account;

5. *Urges* States and the international community to promote and protect the rights of persons belonging to national or ethnic, religious and linguistic minorities, as set out in the Declaration, including through the provision of adequate education and the facilitation of their participation in all aspects of the political, economic, social, religious and cultural life of society and in the economic progress and development of their country, and to apply a gender perspective while doing so;

6. *Calls upon* States to give special attention to the promotion and protection of the human rights of children belonging to minorities, taking into account that girls and boys may face different types of risks;

7. *Urges* States to take, as appropriate, all necessary constitutional, legislative, administrative and other measures to promote and give effect to the Declaration, and appeals to States to cooperate bilaterally and multilaterally, in accordance with the Declaration, in order to promote and protect the rights of persons belonging to national or ethnic, religious and linguistic minorities;

8. *Calls upon* States to take all appropriate measures to protect the cultural and religious sites of national or ethnic, religious and linguistic minorities;

9. *Calls upon* the Secretary-General to make available, at the request of Governments concerned, qualified expertise on minority issues, including the prevention and resolution of disputes, to assist in existing or potential situations involving minorities;

10. *Calls upon* the United Nations High Commissioner for Human Rights to promote, within his mandate, the implementation of the Declaration, to continue to engage in a dialogue with Governments for that purpose and to disseminate widely the *United Nations Guide for Minorities*;

11. *Requests* the High Commissioner to continue his efforts to improve the coordination and cooperation among United Nations programmes and agencies on activities related to the promotion and protection of the rights of persons belonging to minorities and to take the work of relevant regional organizations active in the field of human rights into account in his endeavours;

12. *Welcomes* the inter-agency consultation of the High Commissioner with United Nations programmes and agencies on minority issues, and calls upon those programmes and agencies to contribute actively to this process;

13. *Invites* the human rights treaty bodies, when considering reports submitted by States parties, as well as the reports of special representatives, special rapporteurs and working groups of the Commission on Human Rights, to continue to give attention, within their respective mandates, to situations and rights of persons belonging to national or ethnic, religious and linguistic minorities;

14. *Encourages* intergovernmental and non-governmental organizations to continue to contribute to the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities;

15. *Calls upon* the Working Group on Minorities of the Subcommission on the Promotion and Protection of Human Rights to implement fully its mandate with the involvement of a wide range of participants, inter alia, by recommending, on the basis of its findings, further measures, as appropriate, for the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities;

16. *Invites* the High Commissioner to seek voluntary contributions to facilitate the effective participation, including through training seminars, in the work of the Working Group on Minorities of representatives of non-governmental organizations and persons belonging to minorities, in particular those from developing countries;

17. *Requests* the Secretary-General to report to the General Assembly at its sixtieth session on the implementation of the present resolution and to continue to include examples of good practices in the field of education and of the effective participation of minorities in decision-making processes;

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[450] A/58/255.

[451] Resolution 47/135, annex.

18. *Decides* to continue consideration of this question at its sixtieth session under the item entitled "Human rights questions".

RESOLUTION 58/183

Adopted at the 77th plenary meeting, on 22 December 2003, without a vote, on the recommendation of the Committee (A/58/508/Add.2, para. 131)[452]

58/183. Human rights in the administration of justice

The General Assembly,

Bearing in mind the principles embodied in articles 3, 5, 8, 9 and 10 of the Universal Declaration of Human Rights[453] and the relevant provisions of the International Covenant on Civil and Political Rights and the Optional Protocols thereto,[454] in particular article 6 of the Covenant, which states, inter alia, that no one shall be arbitrarily deprived of his life and prohibits the imposition of the death penalty for crimes committed by persons below 18 years of age, and article 10, which provides that all persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person,

Bearing in mind also the relevant provisions of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,[455] the International Convention on the Elimination of All Forms of Racial Discrimination,[456] in particular the right to equal treatment before tribunals and all other organs administering justice, the Convention on the Rights of the Child,[457] in particular article 37, according to which every child deprived of liberty shall be treated in a manner that takes into account the needs of persons of his or her age, and the Convention on the Elimination of All Forms of Discrimination against Women,[458] in particular the obligation to treat men and women equally in all stages of procedures in courts and tribunals,

Calling attention to the numerous international standards in the field of the administration of justice,

Convinced that the independence and impartiality of the judiciary are essential prerequisites for the protection of human rights and for ensuring that there is no discrimination in the administration of justice and should therefore be respected in all circumstances,

Emphasizing that the right to access to justice, as contained in applicable international human rights instruments, forms an important basis for strengthening the rule of law through the administration of justice,

Mindful of the importance of ensuring respect for the rule of law and human rights in the administration of justice, in particular in post-conflict situations, as a crucial contribution to building peace and justice and ending impunity,

Recalling the Guidelines for Action on Children in the Criminal Justice System[459] and the establishment and subsequent meetings of the coordination panel on technical advice and assistance in juvenile justice,

Calling attention to the relevant provisions of the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century,[460] and of the plans of action for its implementation and follow-up,[461]

Recalling its resolution 56/161 of 19 December 2001, as well as Commission on Human Rights resolution 2002/47 of 23 April 2002[462] and Economic and Social Council resolution 2003/30 of 22 July 2003, entitled "United Nations standards and norms in crime prevention and criminal justice",

1. *Reaffirms* the importance of the full and effective implementation of all United Nations standards on human rights in the administration of justice;

2. *Reiterates its call* to all Member States to spare no effort in providing for effective legislative and other mechanisms and procedures, as well as adequate resources, to ensure the full implementation of those standards;

3. *Affirms* that States must ensure that any measure taken to combat terrorism, including in the administration of justice, complies with their obligations under international law, in particular international human rights, refugee and humanitarian law;

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[452] The draft resolution recommended in the report was sponsored in the Committee by: Albania, Andorra, Angola, Argentina, Armenia, Australia, Austria, Belarus, Belgium, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Cameroon, Canada, Cape Verde, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Hungary, Iceland, Ireland, Italy, Japan, Kenya, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Netherlands, New Zealand, Norway, Panama, Paraguay, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia and Montenegro, Sierra Leone, Slovakia, Slovenia, Spain, Suriname, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Ukraine and United Kingdom of Great Britain and Northern Ireland.

[453] Resolution 217 A (III).

[454] See resolution 2200 A (XXI), annex, and resolution 44/128, annex.

[455] Resolution 39/46, annex.

[456] Resolution 2106 A (XX), annex.

[457] Resolution 44/25, annex.

[458] Resolution 34/180, annex.

[459] Economic and Social Council resolution 1997/30, annex.

[460] Resolution 55/59, annex.

[461] Resolution 56/261, annex.

[462] See *Official Records of the Economic and Social Council, 2002, Supplement No. 3* (E/2002/23), chap. II, sect. A.

4. *Invites* Governments to provide training, including anti-racist, multicultural and gender-sensitive training, in human rights in the administration of justice, including juvenile justice, to all judges, lawyers, prosecutors, social workers, immigration and police officers and other professionals concerned, including personnel deployed in international field presences;

5. *Invites* States to make use of technical assistance offered by the relevant United Nations programmes in order to strengthen national capacities and infrastructures in the field of the administration of justice;

6. *Appeals* to Governments to include in their national development plans the administration of justice as an integral part of the development process and to allocate adequate resources for the provision of legal-aid services with a view to promoting and protecting human rights, and invites the international community to respond favourably to requests for financial and technical assistance for the enhancement and strengthening of the administration of justice;

7. *Encourages* the regional commissions, the specialized agencies, United Nations institutes active in the areas of human rights and crime prevention and criminal justice, and other relevant parts of the United Nations system, as well as intergovernmental and non-governmental organizations, including national professional associations concerned with promoting United Nations standards in this field, and other segments of civil society, including the media, to continue to develop their activities in promoting human rights in the administration of justice;

8. *Takes note with interest* of the debates held in the Security Council on the agenda item entitled "Justice and the Rule of Law: the United Nations role";

9. *Invites* the Commission on Human Rights and the Commission on Crime Prevention and Criminal Justice, as well as the Office of the United Nations High Commissioner for Human Rights and the crime programme of the United Nations Office on Drugs and Crime, to closely coordinate their activities relating to the administration of justice;

10. *Calls upon* mechanisms of the Commission on Human Rights and its subsidiary bodies, including special rapporteurs, special representatives and working groups, to continue to give special attention to questions relating to the effective promotion and protection of human rights in the administration of justice, including juvenile justice, and to provide, where appropriate, specific recommendations in this regard, including proposals for advisory services and technical assistance measures;

11. *Calls upon* the United Nations High Commissioner for Human Rights to reinforce, within his mandate, his activities relating to national capacity-building in the field of the administration of justice, in particular in post-conflict situations;

12. *Encourages* the Office of the High Commissioner to continue organizing training courses and other relevant activities aimed at enhancing the promotion and protection of human rights in the field of the administration of justice, and welcomes the publication of the Manual on Human Rights for Judges, Prosecutors and Lawyers within the framework of the United Nations Decade for Human Rights Education, 1995–2004;

13. *Welcomes* the increased attention paid to the issue of juvenile justice by the High Commissioner and the United Nations Children's Fund, in particular through technical assistance activities, and, taking into account the fact that international cooperation to promote juvenile justice reform has become a priority within the United Nations system, encourages the further activities of the High Commissioner and the United Nations Children's Fund, within their mandates, in this regard;

14. *Calls upon* the coordination panel on technical advice and assistance in juvenile justice to further increase cooperation among the partners involved, to share information and to pool their capacities and interests in order to increase the effectiveness of programme implementation;

15. *Invites* Governments, relevant international and regional bodies, national human rights institutions and non-governmental organizations to devote increased attention to the issue of women in prison, including the children of women in prison, with a view to identifying the key problems and ways in which they can be addressed, and notes the proposal of the Subcommission on the Promotion and Protection of Human Rights to prepare a working paper on this question;[463]

16. *Underlines* the importance of rebuilding and strengthening structures for the administration of justice and respect for the rule of law and human rights in post-conflict situations, and requests the Secretary-General to ensure system-wide coordination and coherence of programmes and activities of the relevant parts of the United Nations system in the field of the administration of justice in post-conflict situations, including assistance provided through United Nations field presences;

17. *Stresses* the special need for national capacity-building in the field of the administration of justice, in particular through reform of the judiciary, the police and the penal system, as well as juvenile justice reform, in order to establish and maintain stable societies and the rule of law in post-conflict situations, and in this context welcomes the role of the Office of the High Commissioner in supporting the establishment and functioning of transitional justice mechanisms in post-conflict situations;

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[463] See E/CN.4/2004/2-E/CN.4/Sub.2/2003/43, chap. II, sect. B, decision 2003/104.

18. *Decides* to consider the question of human rights in the administration of justice at its sixtieth session under the item entitled "Human rights questions".

RESOLUTION 58/184

Adopted at the 77th plenary meeting, on 22 December 2003, on the recommendation of the Committee (A/58/508/Add.2, para. 131),[464] by a recorded vote of 179 to none, with 1 abstention, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: None

Abstaining: Israel

58/184. Elimination of all forms of religious intolerance

The General Assembly,

Recalling that all States have pledged themselves, under the Charter of the United Nations, to promote and encourage universal respect for and observance of human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Reaffirming that discrimination against human beings on the grounds of religion or belief constitutes an affront to human dignity and a disavowal of the principles of the Charter,

Recalling article 18 of the Universal Declaration of Human Rights,[465] article 18 of the International Covenant on Civil and Political Rights[466] and paragraph 4 of the United Nations Millennium Declaration,[467]

Reaffirming its resolution 36/55 of 25 November 1981, by which it proclaimed the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief,

Noting the provisions of the Durban Declaration and Programme of Action adopted by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held in Durban, South Africa, from 31 August to 8 September 2001,[468] aimed at combating religious intolerance,

Emphasizing that the right to freedom of thought, conscience, religion and belief is far-reaching and profound and that it encompasses freedom of thought on all matters, personal conviction and the commitment to religion or belief, whether manifested individually or in community with others, and in public or in private,

Reaffirming the call, made ten years ago in Vienna at the World Conference on Human Rights, for all Governments to take all appropriate measures in compliance with their international obligations and with due regard to their respective legal systems to counter intolerance and related violence based on religion or belief, including practices of discrimination against women and the desecration of religious sites, recognizing that every individual has the right to freedom of thought, conscience, expression and religion,[469]

Underlining the important role of education in the promotion of tolerance, which involves the acceptance of and respect for diversity, and underlining also that education, in particular at school, should contribute in a meaningful way to promoting tolerance and the elimination of discrimination based on religion or belief,

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[464] The draft resolution recommended in the report was sponsored in the Committee by: Albania, Algeria, Andorra, Argentina, Armenia, Australia, Austria, Azerbaijan, Belarus, Belgium, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Chile, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Dominica, Dominican Republic, Ecuador, El Salvador, Eritrea, Estonia, Ethiopia, Finland, France, Georgia, Germany, Ghana, Greece, Guatemala, Hungary, Iceland, India, Ireland, Italy, Japan, Kazakhstan, Latvia, Lesotho, Liechtenstein, Lithuania, Luxembourg, Malawi, Mali, Malta, Mauritius, Monaco, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Panama, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Rwanda, San Marino, Senegal, Sierra Leone, Slovakia, Slovenia, Spain, Sudan, Suriname, Swaziland, Sweden, Switzerland, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay, Venezuela, Zambia and Zimbabwe.

[465] Resolution 217 A (III).

[466] See resolution 2200 A (XXI), annex.

[467] See resolution 55/2.

[468] See A/CONF.189/12 and Corr.1, chap. I.

[469] A/CONF.157/24 (Part I), chap. III, sect. II, para. 22.

Alarmed that serious instances of intolerance and discrimination on the grounds of religion or belief, including acts of violence, intimidation and coercion motivated by religious intolerance, continue to occur in many parts of the world and threaten the full enjoyment of human rights and fundamental freedoms,

Profoundly concerned at acts and situations of violence and discrimination resulting from religious intolerance that affect many women,

Deeply concerned at the overall rise in intolerance and discrimination on the grounds of religion or belief, including restrictive legislation, administrative regulations and discriminatory registration and the arbitrary application of these and other measures,

Recognizing that such intolerance and discrimination frequently manifests itself through acts of violence against religious minorities in all parts of the world,

Believing that further intensified efforts are therefore required to promote and protect the right to freedom of thought, conscience, religion or belief and to eliminate all forms of hatred, intolerance and discrimination based on religion or belief, as emphasized also at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance,

1. *Reaffirms* that freedom of thought, conscience, religion or belief is a human right derived from the inherent dignity of the human person and guaranteed to all without discrimination;

2. *Urges* States to ensure that their constitutional and legal systems provide effective guarantees of freedom of thought, conscience, religion or belief, including the provision of effective remedies in cases where the right to freedom of thought, conscience, religion or belief is violated;

3. *Also urges* States to ensure, in particular, that no one within their jurisdiction is, because of their religion or belief, deprived of the right to life, liberty and security of person, the right to freedom of expression, the right not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment and the right not to be arbitrarily arrested or detained, and to protect their physical integrity and bring to justice all perpetrators of violations of these rights;

4. *Further urges* States, in conformity with international standards of human rights, to take all necessary action to combat hatred, intolerance and acts of violence, intimidation and coercion motivated by intolerance based on religion or belief, with particular regard to persons belonging to religious minorities;

5. *Urges* States to devote particular attention to combating all practices motivated by religion or belief which lead, directly or indirectly, to human rights violations and to discrimination against women;

6. *Emphasizes* that, as underlined by the Human Rights Committee, restrictions on the freedom to manifest religion or belief are permitted only if those limitations are prescribed by law, are necessary to protect public safety, order, health or morals, or the fundamental rights and freedoms of others, and are applied in a manner that does not vitiate the right to freedom of thought, conscience and religion;

7. *Urges* States to ensure that all public officials and civil servants, including members of law enforcement bodies, the military and educators, in the course of their official duties, respect different religions and beliefs and do not discriminate on the grounds of religion or belief and to ensure that all necessary and appropriate education or training is provided;

8. *Calls upon* all States to recognize, as provided in the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, the right of all persons to worship or assemble in connection with a religion or belief and to establish and maintain places for those purposes;

9. *Expresses its grave concern* at all attacks upon religious places, sites and shrines, and calls upon all States, in accordance with their national legislation and in conformity with international human rights standards, to exert their utmost efforts to ensure that such places, sites and shrines are fully respected and protected and to take additional measures in cases where they are vulnerable to desecration or destruction;

10. *Recognizes* that legislation alone is not enough to prevent violations of human rights, including the right to freedom of religion or belief, and that the exercise of tolerance and non-discrimination by persons and groups is necessary for the full realization of the aims of the Declaration, and in this regard invites States, religious bodies and civil society to undertake dialogue at all levels to promote greater tolerance, respect and understanding of freedom of religion or belief and to encourage and promote, through the educational system and by other means, understanding, tolerance and respect in matters relating to freedom of religion or belief;

11. *Emphasizes* the importance of a continued and strengthened dialogue among religions or beliefs, including as encompassed in the dialogue among civilizations, to promote greater tolerance, respect and mutual understanding;

12. *Takes note with appreciation* of the interim report of the Special Rapporteur of the Commission on Human Rights on freedom of religion or belief,[470] and encourages his continued efforts to examine incidents and governmental actions in all

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[470] See A/58/296.

parts of the world that are incompatible with the provisions of the Declaration and to recommend remedial measures as appropriate;

13. *Urges* all States to cooperate fully with the Special Rapporteur, including by considering favourably his requests to visit their countries so as to enable him to fulfil his mandate even more effectively, welcomes the initiatives of States to collaborate with the Special Rapporteur, and encourages civil society to continue its active collaboration with him;

14. *Urges* States to make all appropriate efforts to encourage those engaged in education to cultivate respect for all religions or beliefs, thereby promoting mutual understanding and tolerance;

15. *Encourages* Governments, when seeking the assistance of the United Nations Programme of Advisory Services and Technical Assistance in the Field of Human Rights, to consider, where appropriate, including requests for assistance in the field of the promotion and protection of the right to freedom of thought, conscience, religion or belief;

16. *Welcomes and encourages* the continuing efforts of non-governmental organizations and religious bodies and groups to promote the implementation and dissemination of the Declaration, and further encourages their work in relation to promoting freedom of religion or belief and in highlighting cases of religious intolerance, discrimination and persecution;

17. *Requests* the Commission on Human Rights to continue its consideration of measures to implement the Declaration;

18. *Requests* the Secretary-General to ensure that the Special Rapporteur receives the necessary resources to enable him to discharge his mandate fully;

19. *Decides* to consider the question of the elimination of all forms of religious intolerance at its fifty-ninth session under the item entitled "Human rights questions", and requests the Special Rapporteur to submit an interim report to the General Assembly on the item.

RESOLUTION 58/185

Adopted at the 77th plenary meeting, on 22 December 2003, without a vote, on the recommendation of the Committee (A/58/508/Add.2, para. 131)[471]

58/185. In-depth study on all forms of violence against women

The General Assembly,

Affirming that the term "violence against women" means any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life,

Requests the Secretary-General:

(*a*) To conduct an in-depth study, from existing available resources and, if necessary, supplemented by voluntary contributions, on all forms and manifestations of violence against women, as identified in the Beijing Declaration and Platform for Action adopted at the Fourth World Conference on Women[472] and the outcome of the twenty-third special session of the General Assembly entitled "Women 2000: gender equality, development and peace for the twenty-first century",[473] and relevant documents, disaggregated by type of violence, and based on research undertaken and data collected at the national, regional and international levels, in particular in the following fields:

(i) A statistical overview on all forms of violence against women, in order to better evaluate the scale of such violence, while identifying gaps in data collection and formulating proposals for assessing the extent of the problem;

(ii) The causes of violence against women, including its root causes and other contributing factors;

(iii) The medium and long-term consequences of violence against women;

(iv) The health, social and economic costs of violence against women;

(v) The identification of best practice examples in areas including legislation, policies, programmes and effective remedies, and the efficiency of such mechanisms to the end of combating and eliminating violence against women;

(*b*) To cooperate closely with all relevant United Nations bodies, as well as with the Special Rapporteur of the Commission on Human Rights on violence against women, its causes and consequences, when preparing the study;

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[471] The draft resolution recommended in the report was sponsored in the Committee by: Albania, Andorra, Armenia, Australia, Austria, Belgium, Bolivia, Bosnia and Herzegovina, Bulgaria, Canada, Chile, Congo, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominica, Dominican Republic, Ecuador, Estonia, Finland, France, Germany, Greece, Guatemala, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Mongolia, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Panama, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Rwanda, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America and Uruguay.

[472] *Report of the Fourth World Conference on Women, Beijing, 4–15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

[473] Resolution S-23/2, annex, and resolution S-23/3, annex.

(*c*) To solicit information, including on strategies, policies, programmes and best practices, from Member States as well as relevant non-governmental organizations in the preparation of the study;

(*d*) To make the study available to all Member States and observers, as well as other United Nations stakeholders, and, on the basis of the study, to submit a report, with the study as an annex, to the General Assembly at its sixtieth session, under the item entitled "Advancement of women", including action-oriented recommendations, for consideration by States, encompassing, inter alia, effective remedies and prevention and rehabilitation measures;

(*e*) To submit a progress report on the study to the General Assembly at its fifty-ninth session under the item entitled "Advancement of women".

RESOLUTION 58/186

Adopted at the 77th plenary meeting, on 22 December 2003, on the recommendation of the Committee (A/58/508/Add.2, para. 131),[474] by a recorded vote of 176 to 1, with 2 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: United States of America

Abstaining: Israel, Marshall Islands

58/186. The right to food

The General Assembly,

Recalling its resolution 57/226 of 18 December 2002, as well as all Commission on Human Rights resolutions in this regard, in particular resolution 2003/25 of 22 April 2003,[475]

Recalling also the Universal Declaration of Human Rights,[476] which provides that everyone has the right to a standard of living adequate for her or his health and well-being, including food,

Recalling further the provisions of the International Covenant on Economic, Social and Cultural Rights,[477] in which the fundamental right of every person to be free from hunger is recognized,

Recalling the Universal Declaration on the Eradication of Hunger and Malnutrition,[478] as well as the United Nations Millennium Declaration,[479]

Bearing in mind the Rome Declaration on World Food Security and the World Food Summit Plan of Action,[480]

Bearing in mind also the Declaration of the World Food Summit: five years later, adopted in Rome on 13 June 2002,[481]

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[474] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Andorra, Angola, Antigua and Barbuda, Austria, Azerbaijan, Bangladesh, Belarus, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, China, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Finland, France, Gambia, Germany, Ghana, Greece, Guinea-Bissau, Haiti, Honduras, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Japan, Kenya, Lao People's Democratic Republic, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Madagascar, Malawi, Malaysia, Mali, Mauritania, Mauritius, Mexico, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Portugal, Qatar, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Saudi Arabia, Senegal, Sierra Leone, Slovenia, Somalia, South Africa, Sudan, Suriname, Swaziland, Switzerland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Togo, Tunisia, Turkey, Turkmenistan, Uganda, United Republic of Tanzania, Venezuela, Viet Nam, Zambia and Zimbabwe.

[475] See *Official Records of the Economic and Social Council, 2003, Supplement No. 3* (E/2003/23), chap. II, sect. A.

[476] Resolution 217 A (III).

[477] See resolution 2200 A (XXI), annex.

[478] *Report of the World Food Conference, Rome, 5–16 November 1974* (United Nations publication, Sales No. E.75.II.A.3), chap. I.

[479] See resolution 55/2.

[480] Food and Agriculture Organization of the United Nations, *Report of the World Food Summit, 13–17 November 1996* (WFS 96/REP), part one, appendix.

[481] Food and Agriculture Organization of the United Nations, *Report of the World Food Summit: five years later, 10–13 June 2002*, part one, appendix; see also A/57/499, annex.

Reaffirming that all human rights are universal, indivisible, interdependent and interrelated,

Recognizing that the problems of hunger and food insecurity have global dimensions and that they are likely to persist and even to increase dramatically in some regions unless urgent, determined and concerted action is taken, given the anticipated increase in the world's population and the stress on natural resources,

Reaffirming that a peaceful, stable and enabling political, social and economic environment, at both the national and the international levels, is the essential foundation that will enable States to give adequate priority to food security and poverty eradication,

Reiterating, as in the Rome Declaration and the Declaration of the World Food Summit: five years later, that food should not be used as an instrument of political or economic pressure, and reaffirming in this regard the importance of international cooperation and solidarity, as well as the necessity of refraining from unilateral measures that are not in accordance with international law and the Charter of the United Nations and that endanger food security,

Convinced that each State must adopt a strategy consistent with its resources and capacities to achieve its individual goals in implementing the recommendations contained in the Rome Declaration and the World Food Summit Plan of Action and, at the same time, cooperate regionally and internationally in order to organize collective solutions to global issues of food security in a world of increasingly interlinked institutions, societies and economies where coordinated efforts and shared responsibilities are essential,

Stressing the importance of reversing the continuing decline of official development assistance devoted to agriculture, both in real terms and as a share of total official development assistance,

1. *Reaffirms* that hunger constitutes an outrage and a violation of human dignity and therefore requires the adoption of urgent measures at the national, regional and international levels for its elimination;

2. *Also reaffirms* the right of everyone to have access to safe and nutritious food, consistent with the right to adequate food and the fundamental right of everyone to be free from hunger, so as to be able to fully develop and maintain their physical and mental capacities;

3. *Considers it intolerable* that there are around 840 million undernourished people in the world, that every seven seconds a child under the age of 10 dies, directly or indirectly, of hunger somewhere in the world and that more than 2 billion people worldwide suffer from "hidden hunger" or micronutrient malnutrition;

4. *Expresses its concern* that women are disproportionately affected by hunger, food insecurity and poverty, in part as a result of gender inequality, that in many countries, girls are twice as likely as boys to die from malnutrition and preventable childhood diseases, and that it is estimated that almost twice as many women suffer from malnutrition as men;

5. *Encourages* all States to take steps with a view to achieving progressively the full realization of the right to food, including steps to promote the conditions for everyone to be free from hunger and, as soon as possible, to enjoy fully the right to food, and to create and adopt national plans to combat hunger;

6. *Also encourages* all States to take action to address discrimination against women, particularly where it contributes to the malnutrition of women and girls, including measures to ensure the realization of the right to food, and ensuring that women have equal access to resources, including income, land and water, to enable them to feed themselves;

7. *Stresses* the need to make efforts to mobilize and optimize the allocation and utilization of technical and financial resources from all sources, including external debt relief for developing countries, and to reinforce national actions to implement sustainable food security policies;

8. *Invites once again* all international financial and developmental institutions, as well as the relevant United Nations agencies and funds, to give priority to and provide the necessary funding to realize the aim of halving by 2015 the proportion of people who suffer from hunger, as well as the right to food as set out in the Rome Declaration on World Food Security[480] and the United Nations Millennium Declaration;[479]

9. *Urges* States to give adequate priority in their development strategies and expenditures to the realization of the right to food;

10. *Takes note with appreciation* of the interim report of the Special Rapporteur of the Commission on Human Rights on the right to food,[482] and commends the Special Rapporteur for his valuable work in the promotion of the right to food;

11. *Supports* the realization of the mandate of the Special Rapporteur as extended by the Commission on Human Rights in its resolution 2003/25;

12. *Expresses its appreciation* to the Special Rapporteur for his effective contribution to the medium-term review of the implementation of the Rome Declaration on World Food Security and the World Food Summit Plan of Action[480] through the submission to the United Nations High Commissioner for Human Rights of his recommendations on all aspects of the

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[482] See A/58/330.

right to food, and his participation in and contribution to the proceedings of that event;

13. *Encourages* the Special Rapporteur to mainstream a gender perspective in the activities relating to his mandate;

14. *Requests* the Secretary-General and the High Commissioner to provide all the necessary human and financial resources for the effective fulfilment of the mandate of the Special Rapporteur;

15. *Welcomes* the work already done by the Committee on Economic, Social and Cultural Rights in promoting the right to adequate food, in particular its general comment No. 12 (1999) on the right to adequate food (article 11 of the International Covenant on Economic, Social and Cultural Rights), in which the Committee affirmed, inter alia, that the right to adequate food is indivisibly linked to the inherent dignity of the human person and is indispensable for the fulfilment of other human rights enshrined in the International Bill of Human Rights, and is also inseparable from social justice, requiring the adoption of appropriate economic, environmental and social policies, at both the national and the international levels, oriented to the eradication of poverty and the fulfilment of all human rights for all;[483]

16. *Also welcomes* the work of the Intergovernmental Working Group mandated by the Council of the Food and Agricultural Organization of the United Nations to elaborate, in a period of two years, a set of voluntary guidelines to support the efforts of Member States to achieve the progressive realization of the right to adequate food in the context of national food security;

17. *Further welcomes* the continued cooperation of the High Commissioner, the Committee on Economic, Social and Cultural Rights and the Special Rapporteur, and encourages them to continue their cooperation in this regard;

18. *Requests* the Special Rapporteur to submit a comprehensive report to the Commission on Human Rights at its sixtieth session and an interim report to the General Assembly at its fifty-ninth session on the implementation of the present resolution;

19. *Invites* Governments, relevant United Nations agencies, funds and programmes, treaty bodies and non-governmental organizations to cooperate fully with the Special Rapporteur in the fulfilment of his mandate, inter alia, through the submission of comments and suggestions on ways and means of realizing the right to food;

20. *Decides* to continue the consideration of this matter at its fifty-ninth session under the item entitled "Human rights questions".

RESOLUTION 58/187

Adopted at the 77th plenary meeting, on 22 December 2003, on the recommendation of the Committee (A/58/508/Add.2, para. 131),[484] by a recorded vote of 181 to none, with 1 abstention, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: None

Abstaining: India

58/187. Protection of human rights and fundamental freedoms while countering terrorism

The General Assembly,

Reaffirming the purposes and principles of the Charter of the United Nations,

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[483] *Official Records of the Economic and Social Council, 2000, Supplement No. 2* and corrigendum (E/2000/22 and Corr.1), annex V, para. 4.

[484] The draft resolution recommended in the report was sponsored in the Committee by: Albania, Argentina, Austria, Belgium, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Chile, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Estonia, Ethiopia, Finland, France, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Panama, Poland, Portugal, Romania, Saint Vincent and the Grenadines, Slovakia, Slovenia, Sudan, Suriname, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Ukraine, United Kingdom of Great Britain and Northern Ireland and Uruguay.

Reaffirming also the fundamental importance, including in response to terrorism and the fear of terrorism, of respecting all human rights and fundamental freedoms and the rule of law,

Recalling that States are under the obligation to protect all human rights and fundamental freedoms of all persons,

Recognizing that the respect for human rights, the respect for democracy and the respect for the rule of law are interrelated and mutually reinforcing,

Recalling its resolution 57/219 of 18 December 2002 and Commission on Human Rights resolution 2003/68 of 25 April 2003,[485]

Recalling also its resolution 48/141 of 20 December 1993 and, inter alia, the responsibility of the United Nations High Commissioner for Human Rights to promote and protect the effective enjoyment of all human rights,

Reiterating paragraph 17 of section I of the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25 June 1993,[486] which states that acts, methods and practices of terrorism in all its forms and manifestations are activities aimed at the destruction of human rights, fundamental freedoms and democracy, threatening territorial integrity, security of States and destabilizing legitimately constituted Governments, and that the international community should take the necessary steps to enhance cooperation to prevent and combat terrorism,

Noting its resolution 56/160 of 19 December 2001, and noting also Commission on Human Rights resolution 2003/37 of 23 April 2003 on human rights and terrorism,[485]

Noting also the declaration on the issue of combating terrorism contained in the annex to Security Council resolution 1456 (2003) of 20 January 2003, in particular the statement that States must ensure that any measures taken to combat terrorism comply with all their obligations under international law and should adopt such measures in accordance with international law, in particular international human rights, refugee and humanitarian law,

Recalling the relevant resolutions of the General Assembly and the Security Council,

Noting the declarations, statements and recommendations by a number of human rights treaty monitoring bodies and special procedures on the question of the compatibility of counter-terrorism measures with human rights obligations,

Reaffirming its unequivocal condemnation of all acts, methods and practices of terrorism, in all their forms and manifestations, wherever and by whomsoever committed, regardless of their motivation, as criminal and unjustifiable, and renewing its commitment to strengthen international cooperation to prevent and combat terrorism,

Stressing that everyone is entitled to all the rights and freedoms recognized in the Universal Declaration of Human Rights[487] without distinction of any kind, including on the grounds of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

Recalling that, in accordance with article 4 of the International Covenant on Civil and Political Rights,[488] certain rights are recognized as non-derogable in any circumstances and that any measures derogating from the provisions of the Covenant must be in accordance with that article in all cases, and underlining the exceptional and temporary nature of any such derogations, as stated in General Comment No. 29, on states of emergency, adopted by the Human Rights Committee on 24 July 2001,[489]

1. *Reaffirms* that States must ensure that any measure taken to combat terrorism complies with their obligations under international law, in particular international human rights, refugee and humanitarian law;

2. *Calls upon* States to raise awareness about the importance of these obligations among national authorities involved in combating terrorism;

3. *Takes note* of the report of the Secretary-General submitted pursuant to General Assembly resolution 57/219,[490] and welcomes its conclusions on the necessity of ensuring respect for human rights in the international fight to eliminate terrorism and on the important role that the United Nations has in promoting the maintenance of international peace and security and in achieving international cooperation for the promotion and protection of human rights and fundamental freedoms for all;

4. *Takes note with interest* of the report of the Secretary-General on the protection of human rights and fundamental freedoms while countering terrorism,[491] and welcomes the various initiatives to strengthen the protection of human rights in the context of counter-terrorism adopted by the United Nations and regional intergovernmental bodies as well as by States;

5. *Welcomes* the publication of the "Digest of Jurisprudence of the United Nations and Regional Organizations

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[485] See *Official Records of the Economic and Social Council, 2003, Supplement No. 3* (E/2003/23), chap. II, sect. A.

[486] A/CONF.157/24 (Part I), chap. III.

[487] Resolution 217 A (III).

[488] See resolution 2200 A (XXI), annex.

[489] See HRI/GEN/1/Rev.6.

[490] E/CN.4/2003/120.

[491] A/58/266.

on the Protection of Human Rights while Countering Terrorism", and requests the United Nations High Commissioner for Human Rights to update and publish it periodically;

6. *Also welcomes* the ongoing dialogue established in the context of the fight against terrorism between the Security Council and its Counter-Terrorism Committee and the relevant bodies for the promotion and protection of human rights, and encourages the Security Council and its Counter-Terrorism Committee to continue to develop the cooperation with relevant human rights bodies, in particular with the Office of the United Nations High Commissioner for Human Rights, giving due regard to the promotion and protection of human rights in the ongoing work pursuant to relevant Security Council resolutions relating to terrorism;

7. *Requests* all relevant special procedures and mechanisms of the Commission on Human Rights, as well as the United Nations human rights treaty bodies, to consider, within their mandates, the protection of human rights and fundamental freedoms in the context of measures to combat terrorism and to coordinate their efforts, as appropriate, in order to promote a consistent approach on this subject;

8. *Encourages* States, while countering terrorism, to take into account relevant United Nations resolutions and decisions on human rights, and encourages them to consider the recommendations of the special procedures and mechanisms of the Commission on Human Rights and the relevant comments and views of United Nations human rights treaty bodies;

9. *Requests* the High Commissioner, making use of existing mechanisms, to continue:

(*a*) To examine the question of the protection of human rights and fundamental freedoms while countering terrorism, taking into account reliable information from all sources;

(*b*) To make general recommendations concerning the obligation of States to promote and protect human rights and fundamental freedoms while taking actions to counter terrorism;

(*c*) To provide assistance and advice to States, upon their request, on the protection of human rights and fundamental freedoms while countering terrorism, as well as to relevant United Nations bodies;

10. *Also requests* the High Commissioner, taking into account the views of States, to submit a study on the extent to which the human rights special procedures and treaty monitoring bodies are able, within their existing mandates, to address the compatibility of national counter-terrorism measures with international human rights obligations in their work, for consideration by States in strengthening the promotion and protection of human rights and fundamental freedoms while countering terrorism, with regard to the international human rights institutional mechanisms;

11. *Further requests* the High Commissioner to submit the requested study to the General Assembly at its fifty-ninth session, with an interim report to the Commission on Human Rights at its sixtieth session;

12. *Requests* the Secretary-General to submit a report on the implementation of the present resolution to the Commission on Human Rights at its sixtieth session and to the General Assembly at its fifty-ninth session.

RESOLUTION 58/188

Adopted at the 77th plenary meeting, on 22 December 2003, on the recommendation of the Committee (A/58/508/Add.2, para. 131),[492] by a recorded vote of 106 to 55, with 19 abstentions, as follows:

In favour: Algeria, Angola, Antigua and Barbuda, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Gabon, Gambia, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Qatar, Russian Federation, Rwanda, Saint Lucia, Saudi Arabia, Senegal, Sierra Leone, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Tajikistan, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkmenistan, Uganda, United Arab Emirates, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: Albania, Andorra, Armenia, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Netherlands, New Zealand, Norway, Palau, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Samoa, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Argentina, Brazil, Chile, Fiji, Guatemala, Honduras, Nauru, Papua New Guinea, Paraguay, Peru, Philippines, Saint Vincent and the Grenadines, Singapore, Solomon Islands, Thailand, Tonga, Tuvalu, Uruguay, Uzbekistan

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[492] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Angola, Belarus, Burkina Faso, Cambodia, Cameroon, China, Congo, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Eritrea, Ethiopia, Ghana, Haiti, Iran (Islamic Republic of), Jamaica, Kenya, Lao People's Democratic Republic, Lesotho, Libyan Arab Jamahiriya, Malawi, Mozambique, Myanmar, Namibia, Nigeria, Pakistan, Saint Lucia, Sudan, Suriname, Swaziland, United Republic of Tanzania, Viet Nam and Zimbabwe.

58/188. Respect for the purposes and principles contained in the Charter of the United Nations to achieve international cooperation in promoting and encouraging respect for human rights and for fundamental freedoms and in solving international problems of a humanitarian character

The General Assembly,

Recalling that, in accordance with Article 56 of the Charter of the United Nations, all Member States have pledged themselves to take joint and separate action in cooperation with the Organization for the achievement of the purposes set forth in Article 55, including universal respect for and observance of human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Recalling also the Preamble to the Charter, in particular the determination to reaffirm faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and of nations large and small,

Reaffirming that the promotion and protection of all human rights and fundamental freedoms must be considered a priority objective of the United Nations in accordance with its purposes and principles, in particular the purpose of international cooperation, and that, within the framework of these purposes and principles, the promotion and protection of all human rights is a legitimate concern of the international community,

Considering the major changes taking place on the international scene and the aspirations of all peoples to an international order based on the principles enshrined in the Charter, including promoting and encouraging respect for human rights and fundamental freedoms for all and respect for the principle of equal rights and self-determination of peoples, peace, democracy, justice, equality, the rule of law, pluralism, development, better standards of living and solidarity,

Recognizing that the international community should devise ways and means to remove current obstacles and meet the challenges to the full realization of all human rights and to prevent the continuation of human rights violations resulting therefrom throughout the world, and should continue to pay attention to the importance of mutual cooperation, understanding and dialogue in ensuring the promotion and protection of all human rights,

Reaffirming that the enhancement of international cooperation in the field of human rights is essential for the full achievement of the purposes of the United Nations and that human rights and fundamental freedoms are the birthright of all human beings, the promotion and protection of such rights and freedoms being the first responsibility of Governments,

Reaffirming also that all human rights are universal, indivisible, interdependent and interrelated and that the international community must treat human rights globally in a fair and equal manner, on the same footing and with the same emphasis,

Reaffirming further the various Articles of the Charter setting out the respective powers and functions of the General Assembly, the Security Council and the Economic and Social Council, as the paramount framework for the achievement of the purposes of the United Nations,

Reaffirming the commitment of all States to fulfil their obligations under other important instruments of international law, in particular those of international human rights and humanitarian law,

Taking into account that, in accordance with Article 103 of the Charter, in the event of a conflict between the obligations of the Members of the United Nations under the Charter and their obligations under any other international agreement, their obligations under the Charter shall prevail,

Recalling all its previous resolutions on the question, including its resolution 57/217 of 18 December 2002,

1. *Reiterates* the solemn commitment of all States to enhance international cooperation in the field of human rights and in the solution to international problems of a humanitarian character in full compliance with the Charter of the United Nations, inter alia, by the strict observance of all the purposes and principles set forth in Articles 1 and 2 thereof;

2. *Stresses* the vital role of the work of United Nations and regional arrangements, acting consistently with the purposes and principles enshrined in the Charter, in promoting and encouraging respect for human rights and fundamental freedoms, as well as in solving international problems of a humanitarian character, and affirms that all States, in these activities, must fully comply with the principles set forth in Article 2 of the Charter, in particular respecting the sovereign equality of all States and refraining from the threat or use of force against the territorial integrity or political independence of any State, or acting in any other manner inconsistent with the purposes of the United Nations;

3. *Reaffirms* that the United Nations shall promote universal respect for and observance of human rights and fundamental freedoms for all without distinction as to race, sex, language or religion;

4. *Calls upon* all States to cooperate fully, through constructive dialogue, to ensure the promotion and protection of all human rights for all and in promoting peaceful solutions to international problems of a humanitarian character and, in their actions towards that purpose, to comply strictly with the principles and norms of international law, inter alia, by fully respecting international human rights and humanitarian law;

5. *Requests* the Secretary-General to bring the present resolution to the attention of Member States, organs, bodies and other components of the United Nations system, and

intergovernmental and non-governmental organizations, and to disseminate it as widely as possible;

6. *Decides* to consider this question at its fifty-ninth session under the item entitled "Human rights questions".

RESOLUTION 58/189

Adopted at the 77th plenary meeting, on 22 December 2003, on the recommendation of the Committee (A/58/508/Add.2, para. 131),[493] by a recorded vote of 111 to 10, with 55 abstentions, as follows:

In favour: Algeria, Angola, Antigua and Barbuda, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, China, Colombia, Comoros, Congo, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Indonesia, Iran (Islamic Republic of), Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Marshall Islands, Mauritania, Mauritius, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, Sri Lanka, Suriname, Syrian Arab Republic, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkmenistan, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: Argentina, Australia, Canada, Chile, Israel, New Zealand, Norway, Sudan, Switzerland, United States of America

Abstaining: Albania, Andorra, Armenia, Austria, Belgium, Bosnia and Herzegovina, Botswana, Bulgaria, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Hungary, Iceland, India, Ireland, Italy, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Monaco, Nauru, Nepal, Netherlands, Papua New Guinea, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Samoa, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, the former Yugoslav Republic of Macedonia, Turkey, Tuvalu, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uzbekistan

58/189. Respect for the principles of national sovereignty and diversity of democratic systems in electoral processes as an important element for the promotion and protection of human rights

The General Assembly,

Reaffirming the purpose of the United Nations to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples and to take other appropriate measures to strengthen universal peace,

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Recalling also its resolution 2625 (XXV) of 24 October 1970, by which it approved the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations,

Reaffirming the right to self-determination, by virtue of which all peoples can freely determine their political status and freely pursue their economic, social and cultural development,

Recognizing that the principles enshrined in Article 2 of the Charter of the United Nations, in particular respect for national sovereignty, should be respected in the holding of elections,

Recognizing also the richness and diversity of democratic political systems and models of free and fair electoral processes in the world, based on national and regional particularities and various backgrounds,

Stressing the responsibility of States in ensuring ways and means to facilitate full and effective popular participation in their electoral processes,

Recognizing the contribution made by the United Nations of electoral assistance provided to numerous States upon their request,

Reaffirming the solemn commitment of all States to fulfil their obligations to promote universal respect for, and observance and protection of, all human rights and fundamental freedoms for all in accordance with the Charter, other instruments relating to human rights, and international law,

Welcoming the commitment of all Member States, expressed in the United Nations Millennium Declaration,[494] to work collectively for more inclusive political processes allowing genuine participation by all citizens in all countries,

1. *Reaffirms* that all peoples have the right to self-determination, by virtue of which they freely determine their political status and freely pursue their economic, social and cultural development, and that every State has the duty to respect that right, in accordance with the provisions of the Charter of the United Nations;

2. *Reiterates* that periodic, fair and free elections are important elements for the promotion and protection of human rights;

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[493] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Angola, Cambodia, Cameroon, China, Colombia, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Ethiopia, Haiti, Indonesia, Iran (Islamic Republic of), Kenya, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Malaysia, Mauritania, Myanmar, Namibia, Pakistan, Russian Federation, Rwanda, Somalia, Sudan, Swaziland, Syrian Arab Republic, United Republic of Tanzania, Viet Nam and Zimbabwe.

[494] See resolution 55/2.

3. *Reaffirms* the right of peoples to determine methods and to establish institutions regarding electoral processes and, consequently, that there is no single model of democracy or of democratic institutions and that States should ensure all the necessary mechanisms and means to facilitate full and effective popular participation in those processes;

4. *Reaffirms also* that free development of the national electoral process in each State should be fully honoured in a manner that fully respects the principles established in the Charter and in the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations;

5. *Calls upon* all States to refrain from financing political parties or other organizations in any other State in a way that is contrary to the principles of the Charter and that undermines the legitimacy of its electoral processes;

6. *Condemns* any act of armed aggression or threat or use of force against peoples, their elected Governments or their legitimate leaders;

7. *Reaffirms* that the will of the people shall be the basis of the authority of government and that this will shall be expressed in periodic and genuine elections, which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

RESOLUTION 58/190

Adopted at the 77th plenary meeting, on 22 December 2003, without a vote, on the recommendation of the Committee (A/58/508/Add.2, para. 131)[495]

58/190. Protection of migrants

The General Assembly,

Recalling its resolution 57/218 of 18 December 2002,

Reaffirming that the Universal Declaration of Human Rights[496] proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set out therein, without distinction of any kind, in particular as to race, colour or national origin,

Reaffirming also the provisions concerning migrants adopted by the World Conference on Human Rights,[497] the International Conference on Population and Development,[498] the World Summit for Social Development[499] and the Fourth World Conference on Women,[500]

Welcoming the provisions on the human rights of migrants contained in the Durban Declaration and Programme of Action, adopted by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance on 8 September 2001,[501] and expressing its satisfaction at the important recommendations made for the development of international and national strategies for the protection of migrants and for the design of migration policies that fully respect the human rights of migrants,

Recalling its resolution 40/144 of 13 December 1985, by which it approved the Declaration on the Human Rights of Individuals Who are not Nationals of the Country in which They Live,

Recognizing the positive contributions that migrants frequently make, including through their eventual integration into their host society,

Bearing in mind the situation of vulnerability in which migrants and their families frequently find themselves, owing, inter alia, to their absence from their States of origin and to the difficulties they encounter because of differences of language, custom and culture, as well as the economic and social difficulties and obstacles to the return to their States of origin of migrants who are non-documented or in an irregular situation,

Bearing in mind also the need for a focused and consistent approach towards migrants as a specific vulnerable group, in particular migrant women and children,

Deeply concerned about the manifestations of violence, racism, xenophobia and other forms of discrimination and inhuman and degrading treatment against migrants, especially women and children, in different parts of the world,

Underlining the importance of the creation of conditions that foster greater harmony between migrants and the rest of the society of the States in which they reside, with the aim of eliminating the growing manifestations of racism and xenophobia perpetrated in segments of many societies by individuals or groups against migrants,

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[495] The draft resolution recommended in the report was sponsored in the Committee by: Argentina, Armenia, Bangladesh, Bolivia, Brazil, Burkina Faso, Cape Verde, Chile, Colombia, Cuba, Ecuador, Egypt, El Salvador, Guatemala, Haiti, Honduras, Mali, Mexico, Morocco, Mozambique, Nigeria, Paraguay, Peru, Philippines, Senegal, Sri Lanka, Sudan, Tunisia and Uruguay.

[496] Resolution 217 A (III).

[497] See A/CONF.157/24 (Part I), chap. III.

[498] See *Report of the International Conference on Population and Development, Cairo, 5–13 September 1994* (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex.

[499] See *Report of the World Summit for Social Development, Copenhagen, 6–12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annexes I and II.

[500] See *Report of the Fourth World Conference on Women, Beijing, 4–15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

[501] See A/CONF.189/12 and Corr.1, chap. I.

Taking note of Advisory Opinion OC-16/99, issued by the Inter-American Court of Human Rights on 1 October 1999, on The Right to Information on Consular Assistance in the Framework of the Guarantees of the Due Process of Law, in the case of foreign nationals detained by the authorities of a receiving State,

Taking note also of Advisory Opinion OC-18/03, issued by the Inter-American Court of Human Rights on 17 September 2003, on the juridical situation and rights of undocumented migrants,

Encouraged by the increasing interest of the international community in the effective and full protection of the human rights of all migrants, and underlining the need to make further efforts to ensure respect for the human rights and fundamental freedoms of all migrants,

Taking note of the decision of the International Labour Organization to have a general discussion on migrant workers, based on an integrated approach, at the International Labour Conference to be held in Geneva in June 2004,

1. *Welcomes* the renewed commitment made in the United Nations Millennium Declaration[502] to take measures to ensure respect for and protection of the human rights of migrants, migrant workers and their families, to eliminate the increasing acts of racism and xenophobia in many societies and to promote greater harmony and tolerance in all societies;

2. *Requests* all Member States, in conformity with their respective constitutional systems, effectively to promote and protect the human rights of all migrants, in conformity with the Universal Declaration of Human Rights[498] and the international instruments to which they are party, which may include the International Covenants on Human Rights,[503] the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,[504] the International Convention on the Elimination of All Forms of Racial Discrimination,[505] the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,[506] the Convention on the Elimination of All Forms of Discrimination against Women,[507] the Convention on the Rights of the Child[508] and other applicable international human rights instruments;

3. *Calls upon* States to promote and protect fully the human rights of migrants, as contained in the Durban Declaration and Programme of Action;[501]

4. *Acknowledges with satisfaction* the entry into force of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, and the forthcoming entry into force of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,[509] and of the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime;[510]

5. *Strongly condemns* the manifestations and acts of racism, racial discrimination, xenophobia and related intolerance against migrants and the stereotypes often applied to them, and urges States to apply the existing laws when xenophobic or intolerant acts or manifestations or expressions against migrants occur, in order to eradicate impunity for those who commit xenophobic and racist acts;

6. *Strongly condemns also* all forms of racial discrimination and xenophobia with regard to access to employment, vocational training, housing, schooling, health services and social services, as well as services intended for use by the public, and welcomes the active role played by governmental and non-governmental organizations in combating racism and assisting individual victims of racist acts, including migrant victims;

7. *Requests* all States, in conformity with national legislation and applicable international legal instruments to which they are party, firmly to prosecute violations of labour law with regard to the conditions of work of migrant workers, including those related to, inter alia, their remuneration and the conditions of health and safety at work;

8. *Calls upon* all States to consider reviewing and, where necessary, revising immigration policies, with a view to eliminating all practices which victimize migrants and their families, and to provide specialized training for policy-making, law enforcement, immigration and other concerned government officials, including in cooperation with non-governmental organizations and civil society, thus underlining the importance of effective action to create conditions that foster greater harmony and tolerance within societies;

9. *Reiterates* the need for all States parties to protect fully the universally recognized human rights of migrants, especially women and children, regardless of their legal status, and to treat them humanely, in particular with regard to assistance and protection;

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[502] See resolution 55/2.

[503] Resolution 2200 A (XXI), annex.

[504] Resolution 39/46, annex.

[505] Resolution 2106 A (XX), annex.

[506] Resolution 45/158, annex.

[507] Resolution 34/180, annex.

[508] Resolution 44/25, annex.

[509] Resolution 55/25, annex II.

[510] Ibid., annex III.

10. *Reaffirms emphatically* the duty of States parties to the Vienna Convention on Consular Relations of 1963[511] to ensure full respect for and observance of the Convention, in particular with regard to the right of foreign nationals, regardless of their immigration status, to communicate with a consular official of their own State in the case of detention, and the obligation of the State in whose territory the detention occurs to inform the foreign national of that right;

11. *Reaffirms* the responsibility of Governments to safeguard and protect the rights of migrants against illegal or violent acts, in particular acts of racial discrimination and crimes perpetrated with racist or xenophobic motivation by individuals or groups, and urges them to reinforce measures in this regard;

12. *Urges* all States to adopt effective measures to put an end to the arbitrary arrest and detention of migrants, including by individuals or groups;

13. *Encourages* Member States that have not yet done so to enact domestic criminal legislation to combat the international trafficking of migrants, which should take into account, in particular, trafficking that endangers the lives of migrants or includes different forms of servitude or exploitation, such as any form of debt bondage or sexual or labour exploitation, and to strengthen international cooperation to combat such trafficking;

14. *Calls upon* States, when enacting national security legislation measures, to observe national legislation and applicable international legal instruments to which they are party, in order to respect the human rights of migrants;

15. *Encourages* States to consider participating in international and regional dialogues on migration that include countries of origin and destination, as well as countries of transit, and invites them to consider negotiating bilateral and regional agreements on migrant workers within the framework of applicable human rights law and designing and implementing programmes with States of other regions to protect the rights of migrants;

16. *Encourages* all Governments to remove obstacles that may prevent the safe, unrestricted and expeditious transfer of earnings, assets and pensions of migrants to their country of origin or to any other countries, in conformity with applicable legislation, and to consider, as appropriate, measures to solve other problems that may impede such transfers;

17. *Welcomes* immigration programmes, adopted by some countries, that allow migrants to integrate fully into the host countries, facilitate family reunification and promote a harmonious and tolerant environment, and encourages States to consider the possibility of adopting these types of programmes;

18. *Calls upon* all States to protect the human rights of migrant children, in particular unaccompanied migrant children, ensuring that the best interests of the children and the importance of reuniting them with their parents, when possible and appropriate, are the paramount consideration, and encourages the relevant United Nations bodies, within the framework of their respective mandates, to pay special attention to the conditions of migrant children in all States and, where necessary, to put forward recommendations for strengthening their protection;

19. *Requests* States to adopt concrete measures to prevent the violation of the human rights of migrants while in transit, including in ports and airports and at borders and migration checkpoints, to train public officials who work in those facilities and in border areas to treat migrants and their families respectfully and in accordance with the law, and to prosecute, in conformity with applicable law, any act of violation of the human rights of migrants and their families, such as arbitrary detention, torture and violations of the right to life, including extrajudicial executions, during their transit from their country of origin to the country of destination and vice versa, including their transit through national borders;

20. *Calls upon* States to facilitate family reunification in an expeditious and effective manner, with due regard to applicable laws, as such reunification has a positive effect on the integration of migrants;

21. *Encourages* States of origin to promote and protect the human rights of those families of migrant workers which remain in the countries of origin, paying particular attention to children and adolescents whose parents have emigrated, and encourages international organizations to consider supporting States in this regard;

22. *Encourages* States, in cooperation with non-governmental organizations, to undertake information campaigns aimed at clarifying opportunities, limitations and rights in the event of migration, so as to enable everyone, in particular women, to make informed decisions, and to prevent them from becoming victims of trafficking and utilizing dangerous means of access that put their lives and physical integrity at risk;

23. *Welcomes* the proclamation of 18 December as International Migrants Day[512] and the invitation to Member States and intergovernmental and non-governmental organizations to observe it through, inter alia, the dissemination of information on the human rights and fundamental freedoms of migrants and on their economic, social and cultural contributions to their host and home countries, the sharing of experience and the design of actions to ensure their protection;

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[511] United Nations, *Treaty Series*, vol. 596, No. 8638.

[512] See resolution 55/93.

24. *Urges* States to consider ratifying, accepting, approving or acceding to the United Nations Convention against Transnational Organized Crime[513] and the Protocols thereto, namely, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children and the Protocol against the Smuggling of Migrants by Land, Sea and Air, and to implement fully those instruments;

25. *Takes note* of the interim report of the Special Rapporteur of the Commission on Human Rights on the human rights of migrants,[514] and requests her to continue taking into account the recommendations contained in the Durban Declaration and Programme of Action in the performance of her mandate, tasks and duties;

26. *Requests* all Governments to cooperate fully with the Special Rapporteur in the performance of the tasks and duties mandated, to furnish all information requested and to react promptly to her urgent appeals;

27. *Requests* the Secretary-General to submit to the General Assembly at its fifty-ninth session a report on the implementation of the present resolution under the sub-item entitled "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms", and requests the Special Rapporteur to submit to the Assembly at its fifty-ninth session an interim report on the fulfilment of her mandate.

RESOLUTION 58/191

Adopted at the 77th plenary meeting, on 22 December 2003, without a vote, on the recommendation of the Committee (A/58/508/Add.2, para. 131)[515]

58/191. Situation of human rights in Cambodia

The General Assembly,

Recalling its resolutions 57/225 and 57/228 A of 18 December 2002 and 57/228 B of 13 May 2003, Commission on Human Rights resolution 2003/79 of 25 April 2003[516] and previous relevant resolutions,

Recalling also the decision of the Commission on Human Rights, in its resolution 2003/79, to request a report to the Commission at its sixtieth session on the role and achievements of the Office of the United Nations High Commissioner for Human Rights in assisting the Government and the people of Cambodia, and to continue its consideration of the situation of human rights in Cambodia at its sixtieth session,

Recognizing that the tragic history of Cambodia requires special measures to ensure the protection of the human rights of all people in Cambodia and the non-return to the policies and practices of the past, as stipulated in the Agreement on a Comprehensive Political Settlement of the Cambodia Conflict, signed in Paris on 23 October 1991,[517]

I

Support of and cooperation with the United Nations

1. *Requests* the Secretary-General, through his Special Representative for human rights in Cambodia, in collaboration with the office in Cambodia of the United Nations High Commissioner for Human Rights, to assist the Government of Cambodia in ensuring the protection of the human rights of all people in Cambodia and to ensure adequate resources for the continued functioning of the operational presence of the office and to enable the Special Representative to continue to fulfil his tasks expeditiously;

2. *Welcomes* the report of the Secretary-General on the role and achievements of the Office of the United Nations High Commissioner for Human Rights in assisting the Government and the people of Cambodia in the promotion and protection of human rights,[518] the report of the Special Representative of the Secretary-General for human rights in Cambodia[519] and the use of the United Nations Trust Fund for a Human Rights Education Programme in Cambodia to finance the programme of activities of the office in Cambodia, and invites the international community to consider contributing to the Trust Fund;

3. *Encourages* the Government of Cambodia to continue to cooperate with the office and other agencies of the United Nations system in their joint efforts to promote human rights and to implement in full their obligations under international human rights treaties and instruments;

II

The role of non-governmental organizations

Commends the vital role played by non-governmental organizations in Cambodia, inter alia, in human rights education and training and in the development of civil society, and encourages the Government of Cambodia to continue to ensure the protection of those human rights organizations and their members and to continue to work closely and cooperatively with them;

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[513] Resolution 55/25, annex I.

[514] A/58/275.

[515] The draft resolution recommended in the report was sponsored in the Committee by: Albania, Andorra, Australia, Austria, Belgium, Bulgaria, Canada, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Lithuania, Luxembourg, Malta, Netherlands, New Zealand, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, United Kingdom of Great Britain and Northern Ireland and United States of America.

[516] See *Official Records of the Economic and Social Council, 2003, Supplement No. 3* (E/2003/23), chap. II, sect. A.

[517] A/46/608-S/23177.

[518] A/58/268.

[519] See A/58/317.

III

Administrative, legislative and judicial reform

1. *Welcomes* the progress achieved by the Government of Cambodia in the administration of national elections in July 2003, inter alia, in a generally free and peaceful atmosphere and in improved access for political parties to the public service media, and urges the Government to investigate fully incidents of intimidation, violence, killings and vote-buying, to prosecute those responsible, to strengthen the enforcement capacity and independence of the National Election Committee and to build on the improvements achieved so as to further consolidate the process of democratization;

2. *Notes with concern* the continued problems relating to the rule of law and the functioning of the judiciary resulting from, inter alia, corruption and interference by the executive with the independence of the judiciary, urges the Government of Cambodia, as a matter of priority, to expedite the implementation of legal and judicial reform, including finalization without further delay of the adoption of the laws and codes that are essential components of the basic legal framework, in particular a law on the organization and functioning of adjudicate courts, and to ensure the independence, impartiality and effectiveness of the Supreme Council of the Magistracy and of the judicial system as a whole;

3. *Welcomes* the drafts of the civil code, code of civil procedure, penal code, code of criminal procedure, anti-corruption law, law on the status of judges and prosecutors (statute of magistracy), draft law to amend the Law on the Organization and Functioning of the Supreme Council of the Magistracy, strategy for legal and judicial reform and action plan for its implementation, urges the Government of Cambodia to continue to enhance the training of judges and lawyers through the Royal School for Training Judges and Prosecutors and the Centre for Lawyer Training and Legal Professional Improvement of the Bar Association of the Kingdom of Cambodia, and encourages the Government to provide access to justice for all and establish a legal aid scheme appropriate for Cambodia;

4. *Also welcomes* the adoption of the Sub-Decree on Land Concessions for Social Purposes, and urges the Government of Cambodia to strengthen its efforts to tackle the problems related to land rights by, inter alia, adopting the sub-decrees on land concessions for economic purposes and on procedures for the reduction of and specific exemptions from the land concessions that exceed 10,000 hectares, enhancing transparency and giving high priority to the land management and administration reform project, and to continue to undertake a review of land concession contracts and their implementation, and notes with concern the remaining problems of land-grabbing, forced evictions and further displacement;

5. *Encourages* further efforts by the Government of Cambodia to implement expeditiously and effectively its reform programme, including the Governance Action Plan and police and military reforms, inter alia, the demobilization programme;

6. *Welcomes* the progress made by the Government of Cambodia to eradicate anti-personnel landmines and to reduce the number of small arms in Cambodia, and encourages the continuing efforts of the Government and the international community to tackle these issues;

7. *Expresses serious concern* about the fact that the situation of impunity still exists in Cambodia, recognizes efforts and actions by the Government of Cambodia to prosecute perpetrators of violations, and calls upon the Government, as a matter of critical priority, to increase its efforts to investigate urgently and to prosecute, in accordance with due process of law and international human rights standards, all those who have perpetrated serious crimes, including violations of human rights;

8. *Notes with serious concern* the prison conditions in Cambodia, notes with interest some important efforts to improve the prison system, recommends the continuation of international assistance to improve the material conditions of detention, and calls upon the Government of Cambodia to take further measures to improve the conditions of detention, including reviewing sentencing policy and developing non-custodial options as an alternative to imprisonment, to prevent any form of torture, to provide proper food and health care to prisoners and detainees, to meet the special needs of women and children and to restore access to prisons and inmates for lawyers, family members and human rights organizations in accordance with relevant regulations in force;

IV

Human rights violations and violence

1. *Expresses grave concern* about the continued violations of human rights, including torture, excessive pre-trial detention, violation of labour rights, forced evictions and political violence, including the killings of political activists, involvement by police and military personnel in violence and the apparent lack of protection from mob killings, notes that some progress has been made by the Government of Cambodia in addressing these issues, and urges the Government to take all necessary measures to prevent such violations, including to consider establishing a board of inquiry on the issue of mob killings;

2. *Urges* the Government of Cambodia to take all steps to combat discrimination in all its manifestations and prevent violence against members of any racial or ethnic group and to protect the human rights and fundamental freedoms of all

persons, as well as to meet its obligations as a party to the International Convention on the Elimination of All Forms of Racial Discrimination,[520] inter alia, by seeking technical assistance;

V

Khmer Rouge Tribunal

1. *Reaffirms* that the most serious human rights violations in Cambodia in recent history have been committed by the Khmer Rouge, and acknowledges that the final collapse of the Khmer Rouge and the continued efforts of the Government of Cambodia have provided the basis for the restoration of peace and stability with the aim of achieving national reconciliation in Cambodia and the investigation and prosecution of senior leaders of Democratic Kampuchea and those who were most responsible for the crimes and serious violations of Cambodian penal law, international humanitarian law and custom and international conventions recognized by Cambodia that were committed during the period from 17 April 1975 to 6 January 1979;

2. *Welcomes* the Agreement reached on 6 June 2003 between the United Nations and the Government of Cambodia to set up Extraordinary Chambers exercising their jurisdiction in accordance with international standards of justice, fairness and due process as set out in article 12 of the Agreement, urges the Secretary-General and the Government of Cambodia to take all the measures necessary for the early establishment of the Extraordinary Chambers, and appeals to the international community to provide assistance, including financial and personnel support to the Extraordinary Chambers, in accordance with General Assembly resolution 57/228 B;

VI

Protection of women and children

1. *Welcomes* the efforts and progress made to improve the status of women, including on the draft law on prevention of domestic violence and protection of victims of domestic violence, and urges the Government of Cambodia to take further measures to combat violence against women in all its forms, inter alia, sexual violence, and to take all steps to meet its obligations as a party to the Convention on the Elimination of All Forms of Discrimination against Women,[521] inter alia, by seeking technical assistance;

2. *Commends* the Government of Cambodia for its efforts to impede the spread of HIV/AIDS, and encourages it to continue to focus on the problem;

3. *Welcomes* the series of efforts made by the Government of Cambodia to combat human trafficking, including on the draft anti-trafficking law, while noting with serious concern the growth of human trafficking and sexual exploitation of women and children internationally, and requests the Government and the international community to strengthen their concerted efforts to address these problems comprehensively;

4. *Notes with serious concern* the problem of child labour in its worst forms, calls upon the Government of Cambodia to take immediate and effective measures to protect children from economic exploitation and from performing any work that is likely to be hazardous, to interfere with their education or to be harmful to their health, safety or morals, by enforcing Cambodian laws on child labour, the existing labour law and anti-trafficking law provisions on behalf of children, and by prosecuting those who violate these laws, invites the International Labour Organization to continue to extend the necessary assistance in this regard, and encourages the Government to consider ratifying the International Labour Organization Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, 1999 (Convention No. 182);

5. *Welcomes* the increased budget allocation in the areas of education and health, and encourages their timely disbursement and the efforts of the Government of Cambodia to improve further the health conditions of children and their access to education, to promote free and accessible birth registration and to establish a juvenile justice system;

VII

Conclusion

Invites the international community to assist the Government of Cambodia in its efforts to implement the present resolution.

RESOLUTION 58/192

Adopted at the 77th plenary meeting, on 22 December 2003, on the recommendation of the Committee (A/58/508/Add.2, para. 131),[522] by a recorded vote of 119 to 50, with 9 abstentions, as follows:

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[520] Resolution 2106 A (XX), annex.

[521] Resolution 34/180, annex.

[522] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Angola, Belarus, Botswana, Burundi, Cambodia, Cameroon, China, Congo, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, El Salvador, Eritrea, Ethiopia, Gambia, Haiti, Indonesia, Iran (Islamic Republic of), Kenya, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Mozambique, Myanmar, Niger, Nigeria, Pakistan, Qatar, Rwanda, Sierra Leone, South Africa, Sudan, Suriname, Swaziland, Syrian Arab Republic, Togo, Tunisia and Zimbabwe.

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Tajikistan, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Argentina, Chile, Guatemala, India, Marshall Islands, Nauru, Samoa, Singapore, Timor-Leste

58/192. Promotion of peace as a vital requirement for the full enjoyment of all human rights by all

The General Assembly,

Recalling its resolution 57/216 of 18 December 2002,

Recalling also Commission on Human Rights resolution 2003/61 of 24 April 2003, entitled "Promotion of peace as a vital requirement for the full enjoyment of all human rights by all",[523]

Recalling further its resolution 39/11 of 12 November 1984, entitled "Declaration on the Right of Peoples to Peace", and the United Nations Millennium Declaration,[524]

Bearing in mind the fundamental principles of international law set forth in the Charter of the United Nations,

Underlining, in accordance with the purposes and principles of the United Nations, its full and active support for the United Nations and for the enhancement of its role and effectiveness in strengthening international peace, security and justice and in promoting the solution of international problems, as well as the development of friendly relations and cooperation among States,

Reaffirming the obligation of all States to settle their international disputes by peaceful means in such a manner that international peace and security and justice are not endangered,

Emphasizing its objective of promoting better relations among all States and contributing to setting up conditions in which their people can live in true and lasting peace, free from any threat to or attempt against their security,

Reaffirming the obligation of all States to refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations,

Reaffirming also its commitment to peace, security and justice and the continuing development of friendly relations and cooperation among States,

Rejecting the use of violence in pursuit of political aims, and stressing that only peaceful political solutions can ensure a stable and democratic future for all people around the world,

Reaffirming the importance of ensuring respect for the principles of the sovereignty, territorial integrity and political independence of States and non-intervention in matters that are essentially within the domestic jurisdiction of any State, in accordance with the Charter and international law,

Reaffirming also that all peoples have the right to self-determination, by virtue of which they freely determine their political status and freely pursue their economic, social and cultural development,

Reaffirming further the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations,[525]

Underlining that the subjection of peoples to alien subjugation, domination and exploitation constitutes a denial of fundamental rights, is contrary to the Charter and is an impediment to the promotion of world peace and cooperation,

Recalling that everyone is entitled to a social and international order in which the rights and freedoms set forth in the Universal Declaration of Human Rights[526] can be fully realized,

Convinced of the aim of creating conditions of stability and well-being, which are necessary for peaceful and friendly relations among nations based on respect for the principles of equal rights and self-determination of peoples,

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[523] See *Official Records of the Economic and Social Council, 2003, Supplement No. 3* (E/2003/23), chap. II, sect. A.

[524] See resolution 55/2.

[525] Resolution 2625 (XXV), annex.

[526] Resolution 217 A (III).

Convinced also that life without war is the primary international prerequisite for the material well-being, development and progress of countries and for the full implementation of the rights and fundamental human freedoms proclaimed by the United Nations,

1. *Stresses* that peace is a vital requirement for the promotion and protection of all human rights for all;

2. *Solemnly declares* that the preservation and promotion of peace constitute a fundamental obligation of each State;

3. *Emphasizes* that the preservation and promotion of peace demand that the policies of States be directed towards the elimination of the threat of war, particularly nuclear war, the renunciation of the use or threat of use of force in international relations and the settlement of international disputes by peaceful means on the basis of the Charter of the United Nations;

4. *Affirms* that all States should promote the establishment, maintenance and strengthening of international peace and security and an international system based on respect for the principles enshrined in the Charter and the promotion of all human rights and fundamental freedoms, including the right to development and the right of peoples to self-determination;

5. *Urges* all States to respect and to put into practice the purposes and principles of the Charter in their relations with other States, irrespective of their political, economic or social system and of their size, geographical location or level of economic development;

6. *Decides* to continue consideration of the question of the promotion of the right of peoples to peace at its sixtieth session under the item entitled "Human rights questions".

RESOLUTION 58/193

Adopted at the 77th plenary meeting, on 22 December 2003, on the recommendation of the Committee (A/58/506/Add.2, para. 131),[527] by a recorded vote of 123 to 51, with 4 abstentions, as follows:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Sierra Leone, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Netherlands, New Zealand, Norway, Palau, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Brazil, Chile, Guatemala, Singapore

58/193. Globalization and its impact on the full enjoyment of all human rights

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations, and expressing in particular the need to achieve international cooperation in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction,

Recalling the Universal Declaration of Human Rights,[528] as well as the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[529]

Recalling also the International Covenant on Civil and Political Rights[530] and the International Covenant on Economic, Social and Cultural Rights,[530]

Recalling further the Declaration on the Right to Development adopted by the General Assembly in its resolution 41/128 of 4 December 1986,

Recalling the United Nations Millennium Declaration[531] and the outcome documents of the twenty-third[532] and twenty-fourth[533] special sessions of the General Assembly, held, respectively, in New York from 5 to 10 June 2000 and in Geneva from 26 June to 1 July 2000,

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[527] The draft resolution recommended in the report was sponsored in the Committee by: Afghanistan, Algeria, Azerbaijan, Bangladesh, Benin, Burkina Faso, Cameroon, China, Congo, Côte d'Ivoire, Cuba, Democratic Republic of the Congo, Djibouti, Egypt, Eritrea, Ethiopia, Ghana, Indonesia, Iran (Islamic Republic of), Kenya, Libyan Arab Jamahiriya, Malaysia, Mauritius, Morocco, Myanmar, Namibia, Pakistan, Qatar, Saudi Arabia, Sierra Leone, Somalia, South Africa, Sudan, Suriname, Swaziland, Syrian Arab Republic, Togo, Uganda and Zimbabwe.

[528] Resolution 217 A (III).

[529] A/CONF.157/24 (Part I), chap. III.

[530] See resolution 2200 A (XXI), annex.

[531] See resolution 55/2.

[532] Resolution S-23/2, annex, and resolution S-23/3, annex.

[533] Resolution S-24/2, annex.

Recalling also its resolutions 57/204 and 57/205 of 18 December 2002,

Recalling further Commission on Human Rights resolution 2003/23 of 22 April 2003 on globalization and its impact on the full enjoyment of human rights,[534]

Recognizing that all human rights are universal, indivisible, interdependent and interrelated and that the international community must treat human rights globally in a fair and equal manner, on the same footing and with the same emphasis,

Realizing that globalization affects all countries differently and makes them more exposed to external developments, positive as well as negative, inter alia, in the field of human rights,

Realizing also that globalization is not merely an economic process, but that it also has social, political, environmental, cultural and legal dimensions, which have an impact on the full enjoyment of all human rights,

Realizing further the need to undertake a thorough, independent and comprehensive assessment of the social, environmental and cultural impact of globalization on societies,

Recognizing in each culture a dignity and value that deserve recognition, respect and preservation, and convinced that, in their rich variety and diversity and in the reciprocal influences that they exert on one another, all cultures form part of the common heritage belonging to all humankind, and aware that the risk of a global monoculture poses more of a threat if the developing world remains poor and marginalized,

Recognizing also that multilateral mechanisms have a unique role to play in meeting the challenges and opportunities presented by globalization,

Expressing concern at the negative impact of international financial turbulence on social and economic development and on the full enjoyment of all human rights,

Deeply concerned that the widening gap between the developed and the developing countries, and within countries, has contributed, inter alia, to deepening poverty and has adversely affected the full enjoyment of all human rights, in particular in developing countries,

Noting that human beings strive for a world that is respectful of human rights and cultural diversity and that, in this regard, they work to ensure that all activities, including those affected by globalization, are consistent with those aims,

1. *Recognizes* that, while globalization, by its impact on, inter alia, the role of the State, may affect human rights, the promotion and protection of all human rights is first and foremost the responsibility of the State;

2. *Reaffirms* that narrowing the gap between rich and poor, both within and between countries, is an explicit goal at the national and international levels, as part of the effort to create an enabling environment for the full enjoyment of all human rights;

3. *Reaffirms also* the commitment to creating an environment at both the national and the global level that is conducive to development and to the elimination of poverty through, inter alia, good governance within each country and at the international level, transparency in the financial, monetary and trading systems and commitment to an open, equitable, rule-based, predictable and non-discriminatory multilateral trading and financial system;

4. *Recognizes* that, while globalization offers great opportunities, the fact that its benefits are very unevenly shared and its costs unevenly distributed represents an aspect of the process that affects the full enjoyment of all human rights, in particular in developing countries;

5. *Welcomes* the report of the United Nations High Commissioner for Human Rights on globalization and its impact on the full enjoyment of human rights,[535] which focuses on the liberalization of agricultural trade and its impact on the realization of the right to development, including the right to food, and takes note of the conclusions and recommendations contained therein;

6. *Calls upon* Member States, relevant agencies of the United Nations system, intergovernmental organizations and civil society to promote equitable and environmentally sustainable economic growth for managing globalization, so that poverty is systematically reduced and the international development targets are achieved;

7. *Recognizes* that only through broad and sustained efforts, including policies and measures at the global level to create a shared future based upon our common humanity in all its diversity, can globalization be made fully inclusive and equitable and have a human face, thus contributing to the full enjoyment of all human rights;

8. *Underlines* the urgent need to establish an equitable, transparent and democratic international system in which poor people and countries have a more effective voice;

9. *Affirms* that globalization is a complex process of structural transformation, with numerous interdisciplinary aspects, which has an impact on the enjoyment of civil,

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[534] See *Official Records of the Economic and Social Council, 2003, Supplement No. 3* (E/2003/23), chap. II, sect. A.

[535] E/CN.4/2002/54.

political, economic, social and cultural rights, including the right to development;

10. *Affirms also* that the international community should strive to respond to the challenges and opportunities posed by globalization in a manner that ensures respect for the cultural diversity of all;

11. *Underlines*, therefore, the need to continue to analyse the consequences of globalization for the full enjoyment of all human rights;

12. *Takes note* of the report of the Secretary-General,[536] and requests the Secretary-General to seek further the views of Member States and relevant agencies of the United Nations system and to submit a substantive report on this subject to the General Assembly at its fifty-ninth session.

RESOLUTION 58/194

Adopted at the 77th plenary meeting, on 22 December 2003, on the recommendation of the Committee (A/58/508/Add.3, para. 57),[537] by a recorded vote of 73 to 40, with 56 abstentions, as follows:

In favour: Albania, Andorra, Angola, Argentina, Australia, Austria, Bahamas, Belgium, Bolivia, Bosnia and Herzegovina, Bulgaria, Canada, Chile, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Fiji, Finland, France, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Nauru, Netherlands, New Zealand, Nicaragua, Norway, Palau, Panama, Paraguay, Peru, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Samoa, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay

Against: Afghanistan, Azerbaijan, Bahrain, Bangladesh, Belarus, Brunei Darussalam, Cambodia, China, Cuba, Democratic People's Republic of Korea, Egypt, Georgia, India, Indonesia, Iran (Islamic Republic of), Jordan, Kuwait, Lebanon, Libyan Arab Jamahiriya, Malaysia, Mauritania, Morocco, Myanmar, Niger, Oman, Pakistan, Qatar, Republic of Moldova, Saudi Arabia, Senegal, Sri Lanka, Syrian Arab Republic, Tajikistan, Tunisia, Turkmenistan, Ukraine, United Arab Emirates, Viet Nam, Yemen, Zimbabwe

Abstaining: Algeria, Antigua and Barbuda, Barbados, Belize, Benin, Bhutan, Botswana, Brazil, Burkina Faso, Burundi, Cameroon, Cape Verde, Central African Republic, Congo, Democratic Republic of the Congo, Djibouti, Dominica, Eritrea, Ethiopia, Gabon, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, Jamaica, Kazakhstan, Kenya, Lao People's Democratic Republic, Lesotho, Madagascar, Malawi, Maldives, Mali, Mongolia, Mozambique, Namibia, Nepal, Nigeria, Papua New Guinea, Philippines, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Sierra Leone, Singapore, Somalia, South Africa, Suriname, Thailand, Togo, Trinidad and Tobago, Uganda, United Republic of Tanzania, Venezuela, Zambia

58/194. Situation of human rights in Turkmenistan

The General Assembly,

Reaffirming that all States Members of the United Nations have the obligation to promote and protect human rights and fundamental freedoms and the duty to fulfil the obligations that they have undertaken under the various international instruments in this field,

Expressing its grave concern about the serious and continuing human rights violations occurring in Turkmenistan,

Recalling Commission on Human Rights resolution 2003/11 of 16 April 2003,[538]

Taking note of the recommendations outlined in the report of the Rapporteur of the Moscow Mechanism of the Organization for Security and Cooperation in Europe, issued on 12 March 2003,

Noting with appreciation the recent offer of the Government of Turkmenistan to invite a delegation of experts of the Office of the United Nations High Commissioner for Human Rights to provide technical assistance in the area of human rights as well as the recent visits of the Personal Envoy of the Chairman-in-Office of the Organization for Security and Cooperation in Europe for Participating States in Central Asia and of the High Commissioner on National Minorities of the Organization,

Calls upon the Government of Turkmenistan:

(*a*) To implement fully the measures set out in Commission on Human Rights resolution 2003/11[538] and to inform the Commission before its sixtieth session of the steps being taken in this regard;

(*b*) To implement fully the recommendations outlined in the report of the Rapporteur of the Moscow Mechanism of the Organization for Security and Cooperation in Europe, to work constructively with the various institutions of the Organization and to facilitate further visits of the Personal Envoy of the Chairman-in-Office of the Organization for Participating States in Central Asia and of the High Commissioner on National Minorities of the Organization;

(*c*) To develop a constructive dialogue with the Office of the United Nations High Commissioner for Human Rights and to cooperate fully with all the mechanisms of the Commission on Human Rights;

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[536] A/58/257.

[537] The draft resolution recommended in the report was sponsored in the Committee by: Albania, Austria, Belgium, Bulgaria, Canada, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, United Kingdom of Great Britain and Northern Ireland and United States of America.

[538] See *Official Records of the Economic and Social Council, 2003, Supplement No. 3* (E/2003/23), chap. II, sect. A.

(*d*) To grant immediate access by independent bodies, including the International Committee of the Red Cross, as well as lawyers and relatives, to detained persons.

RESOLUTION 58/195

Adopted at the 77th plenary meeting, on 22 December 2003, on the recommendation of the Committee (A/58/508/Add.3, para. 57),[539] by a recorded vote of 68 to 54, with 51 abstentions, as follows:

In favour: Albania, Andorra, Australia, Austria, Bahamas, Barbados, Belgium, Belize, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Chile, Costa Rica, Croatia, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Fiji, Finland, France, Germany, Greece, Grenada, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Monaco, Nauru, Netherlands, New Zealand, Nicaragua, Norway, Palau, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Romania, Samoa, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, the former Yugoslav Republic of Macedonia, Timor-Leste, Tuvalu, United Kingdom of Great Britain and Northern Ireland, United States of America

Against: Afghanistan, Algeria, Azerbaijan, Bahrain, Bangladesh, Belarus, Benin, Brunei Darussalam, China, Colombia, Comoros, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Egypt, Gabon, India, Indonesia, Iran (Islamic Republic of), Jordan, Kazakhstan, Kuwait, Kyrgyzstan, Lebanon, Libyan Arab Jamahiriya, Malaysia, Maldives, Mauritania, Morocco, Myanmar, Niger, Oman, Pakistan, Philippines, Qatar, Russian Federation, Saudi Arabia, Senegal, Sierra Leone, Somalia, South Africa, Sri Lanka, Sudan, Syrian Arab Republic, Tajikistan, Togo, Tunisia, Turkmenistan, Ukraine, Venezuela, Viet Nam, Yemen, Zimbabwe

Abstaining: Angola, Antigua and Barbuda, Argentina, Bhutan, Botswana, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Congo, Côte d'Ivoire, Cyprus, Dominica, Eritrea, Ethiopia, Georgia, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Jamaica, Kenya, Lao People's Democratic Republic, Lesotho, Madagascar, Malawi, Mali, Mauritius, Mongolia, Mozambique, Namibia, Nepal, Nigeria, Panama, Republic of Korea, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Singapore, Suriname, Switzerland, Thailand, Trinidad and Tobago, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Zambia

58/195. Situation of human rights in the Islamic Republic of Iran

The General Assembly,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights,[540] the International Covenants on Human Rights[541] and other international human rights instruments,

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms and to fulfil the obligations they have undertaken under the various international instruments in this field,

Mindful that the Islamic Republic of Iran is a party to the International Covenant on Civil and Political Rights,[541] the International Covenant on Economic, Social and Cultural Rights,[541] the International Convention on the Elimination of All Forms of Racial Discrimination[542] and the Convention on the Rights of the Child,[543]

Recalling its previous resolutions on the subject, the most recent of which is resolution 56/171 of 19 December 2001, and recalling also Commission on Human Rights resolution 2001/17 of 20 April 2001,[544]

Noting the commitment made by the Government of the Islamic Republic of Iran to strengthen respect for human rights in the country and to promote the rule of law,

1. *Welcomes*:

(*a*) The open invitation extended by the Government of the Islamic Republic of Iran to all human rights thematic monitoring mechanisms in April 2002;

(*b*) The visit of the Working Group on Arbitrary Detention of the Commission on Human Rights to the Islamic Republic of Iran from 15 to 27 February 2003 and its subsequent report;[545]

(*c*) The visit of the Special Rapporteur of the Commission on Human Rights on the promotion and protection of the right to freedom of opinion and expression to the Islamic Republic of Iran from 4 to 10 November 2003 and the scheduled visit of the Working Group on Enforced or Involuntary Disappearances of the Commission in February 2004;

(*d*) The recommendation by the head of the judiciary of the Islamic Republic of Iran to judges that they choose alternative punishment in cases where the sentence of stoning would otherwise be imposed;

(*e*) The efforts of the elected Government to foster the growth of civil society;

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[539] The draft resolution recommended in the report was sponsored in the Committee by: Andorra, Austria, Canada, Czech Republic, Denmark, Estonia, Finland, France, Germany, Hungary, Iceland, Ireland, Israel, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Micronesia (Federated States of), Netherlands, Norway, Portugal, Romania, Saint Kitts and Nevis, Spain, Sweden, Tuvalu, United Kingdom of Great Britain and Northern Ireland and United States of America.

[540] Resolution 217 A (III).

[541] Resolution 2200 A (XXI), annex.

[542] Resolution 2106 A (XX), annex.

[543] Resolution 44/25, annex.

[544] See *Official Records of the Economic and Social Council, 2001, Supplement No. 3* (E/2001/23), chap. II, sect. A.

[545] E/CN.4/2004/3/Add.2 and Corr.1.

(*f*) The opening of human rights dialogues with a number of countries;

(*g*) The efforts made by Parliament, in particular the Article 90 Commission, and by the Islamic Human Rights Commission to improve the situation of human rights in the Islamic Republic of Iran;

2. *Expresses its serious concern* at:

(*a*) The continuing violations of human rights in the Islamic Republic of Iran;

(*b*) The continuing deterioration of the situation with regard to freedom of opinion and expression, especially the increased persecution for the peaceful expression of political views, including arrest and detention without charge or trial; crackdowns by judiciary and security forces against journalists, parliamentarians, students, clerics and academics; and the harsh reactions to student demonstrations, including imprisonment, mistreatment and use of university disciplinary committees against those who participate;

(*c*) The continuing executions in the absence of respect for internationally recognized safeguards, and in particular deplores public executions;

(*d*) The use of torture and other forms of cruel, inhuman and degrading punishment, in particular the practice of amputation and flogging;

(*e*) The continuing restrictions on free assembly and the forcible dissolution of political parties;

(*f*) The failure to comply fully with international standards in the administration of justice, the absence of due process of law, the use of national security laws to deny the rights of the individual and the lack of respect for internationally recognized legal safeguards, inter alia, with respect to persons belonging to religious minorities;

(*g*) The systemic discrimination against women and girls in law and in practice and the refusal of the Guardian Council to take steps to address this systematic discrimination, noting in this context its refusal, in August 2003, to consider the proposal of the elected Parliament to accede to the Convention on the Elimination of All Forms of Discrimination against Women;[546]

(*h*) The continuing discrimination against persons belonging to minorities, including the Baha'is, Christians, Jews and Sunnis, including cases of arbitrary arrest and detention, the denial of free worship or of publicly carrying out communal affairs and the disregard of property rights;

(*i*) The continuing persecution and arbitrary sentencing to prison of human rights defenders, political opponents, religious dissenters and reformists;

3. *Calls upon* the Government of the Islamic Republic of Iran:

(*a*) To abide by its obligations freely undertaken under the International Covenants on Human Rights[547] and other international human rights instruments, including those relating to freedom of opinion and expression, the use of torture and other forms of cruel, inhuman and degrading treatment or punishment and the promotion and protection of the human rights of women and girls, and to continue its efforts to consolidate respect for human rights and the rule of law;

(*b*) To respond fully to the recommendations of the Working Group on Arbitrary Detention of the Commission on Human Rights;

(*c*) To continue to cooperate with United Nations mechanisms, in particular with the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and the Working Group on Enforced or Involuntary Disappearances, and to respond fully to their recommendations;

(*d*) To expedite judicial reform, to guarantee the dignity of the individual and to ensure the full application of due process of law and fair and transparent procedures by an independent and impartial judiciary, and in this context to ensure respect for the rights of the defence and the equity of verdicts in all instances, including for members of religious minority groups;

(*e*) To appoint an impartial prosecutor, noting the re-establishment, since December 2001, within the Islamic Republic of Iran of the Office of the Prosecutor General;

(*f*) To eliminate all forms of discrimination based on religious grounds or against persons belonging to minorities, including the Baha'is, Christians, Jews and Sunnis, and to address this matter in an open manner, with the full participation of the minorities themselves;

(*g*) To take all necessary measures to end amputation and public flogging and to pursue vigorously penitentiary reform;

4. *Encourages* the thematic mechanisms of the Commission on Human Rights, including the Special Rapporteur on extrajudicial, summary or arbitrary executions and the Special Rapporteur on the question of torture, to visit the Islamic Republic of Iran, and encourages the Government of the Islamic Republic of Iran to cooperate with these special mechanisms and to respond fully to their subsequent recommendations;

5. *Decides* to continue its examination of the situation of human rights in the Islamic Republic of Iran, paying particular attention to further developments, including the

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[546] Resolution 34/180, annex.

situation of the Baha'is and other minority groups, at its fifty-ninth session, under the item entitled "Human rights questions", in the light of additional elements provided by the Commission on Human Rights.

RESOLUTION 58/196

Adopted at the 77th plenary meeting, on 22 December 2003, on the recommendation of the Committee (A/58/508/Add.3, para. 57),[547] by a recorded vote of 81 to 2, with 91 abstentions, as follows:

In favour: Albania, Andorra, Argentina, Armenia, Australia, Austria, Bahamas, Belgium, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kazakhstan, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Micronesia (Federated States of), Monaco, Nauru, Netherlands, New Zealand, Nicaragua, Norway, Palau, Panama, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Samoa, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, Switzerland, Tajikistan, the former Yugoslav Republic of Macedonia, Timor-Leste, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Uzbekistan, Venezuela

Against: Rwanda, Uganda

Abstaining: Algeria, Angola, Antigua and Barbuda, Azerbaijan, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Botswana, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, China, Comoros, Congo, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Egypt, Eritrea, Ethiopia, Fiji, Gabon, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Niger, Nigeria, Oman, Pakistan, Philippines, Qatar, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, United Arab Emirates, United Republic of Tanzania, Yemen, Zambia, Zimbabwe

58/196. Situation of human rights in the Democratic Republic of the Congo

The General Assembly,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights,[548] the International Covenants on Human Rights[549] and other human rights instruments,

Reaffirming that all States Members of the United Nations have an obligation to promote and protect human rights and fundamental freedoms,

Noting that the Democratic Republic of the Congo is a party to several international and regional human rights instruments and to several instruments pertaining to international humanitarian law,

Recalling all its previous resolutions, as well as those of the Commission on Human Rights, on the situation of human rights in the Democratic Republic of the Congo,

Recalling also Security Council resolution 1493 (2003) of 28 July 2003,

Bearing in mind Security Council resolution 1325 (2000) of 31 October 2000 on women and peace and security,

Bearing in mind also Security Council resolution 1460 (2003) of 30 January 2003 on children and armed conflict, and the report of the Secretary-General of 10 November 2003 on children and armed conflict,[550]

Welcoming the Final Act of the inter-Congolese political negotiations signed in Sun City, South Africa, on 2 April 2003,

Taking note of the second special report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo of 27 May 2003,[551] the report of the Security Council mission to Central Africa, 7 to 16 June 2003,[552] the report of the United Nations High Commissioner for Human Rights of 13 February 2003[553] and the report of the High Commissioner on the events of 3 April 2003 in Drodro,[554]

Deeply concerned about the continuation of hostilities in the eastern part of the Democratic Republic of the Congo, particularly in North and South Kivu and Ituri, and the grave violations of human rights and international humanitarian law that accompany them, as described in the above-mentioned reports,

Deploring the impunity that characterizes much of the fighting and the accompanying human rights abuses and humanitarian crises in the eastern part of the Democratic Republic of the Congo,

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[547] The draft resolution recommended in the report was sponsored in the Committee by: Andorra, Australia, Austria, Belgium, Bulgaria, Canada, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland and United Kingdom of Great Britain and Northern Ireland.

[548] Resolution 217 A (III).

[549] Resolution 2200 A (XXI), annex.

[550] A/58/546-S/2003/1053 and Corr.1.

[551] S/2003/566 and Corr.1.

[552] S/2003/653.

[553] See S/2003/216.

[554] S/2003/674, annex II.

1. *Welcomes*:

(*a*) The promulgation by the Head of State on 4 April 2003 of the Constitution that is to govern the country throughout the transition, the swearing of allegiance to the new Constitution by President Joseph Kabila on 7 April 2003, the installation on 17 July 2003 of the Government of National Unity and Transition in the Democratic Republic of the Congo, the inauguration of the National Assembly and the Senate on 22 August 2003 and the installation of the five transitional institutions on 28 August 2003;

(*b*) The signing on 18 March 2003 of a ceasefire agreement by the Governments of the Democratic Republic of the Congo and Uganda and six armed groups, which paved the way for the convening of the Ituri Pacification Commission from 4 to 14 April 2003 and the setting up of an interim administration in Ituri;

(*c*) The ceasefire agreement signed in Dar es Salaam, United Republic of Tanzania, on 16 May 2003, and the signing on 19 June 2003 of the Bujumbura Commitment by the Government of the Democratic Republic of the Congo, the Congolese Rally for Democracy-Goma and the Congolese Rally for Democracy-Liberation Movement;

(*d*) The abolition of the Military Order Court;

(*e*) The interim report of the Special Rapporteur of the Commission on Human Rights on the situation of human rights in the Democratic Republic of the Congo[555] and her visits to the country from 26 February to 10 March and from 26 August to 6 September 2003;

(*f*) The visit by the United Nations High Commissioner for Human Rights to the Democratic Republic of the Congo from 12 to 15 January 2003 and the action taken by his Office in the country;

(*g*) The consultations between the Secretary-General and the United Nations High Commissioner for Human Rights on ways of dealing with the problem of impunity in the Democratic Republic of the Congo, and takes note of the proposal of the High Commissioner to establish an international body of inquiry to investigate serious violations of human rights and international humanitarian law;

(*h*) The extension of the mandate, the continuing presence and the increased deployment of the United Nations Organization Mission in the Democratic Republic of the Congo in accordance with Security Council resolution 1493 (2003);

(*i*) The collaboration between the United Nations Organization Mission in the Democratic Republic of the Congo and the Office of the United Nations High Commissioner for Human Rights on the establishment of national institutions and infrastructures to protect human rights as well as transitional justice mechanisms;

(*j*) The work of the Special Representative of the Secretary-General for the Democratic Republic of the Congo and Chief of the United Nations Organization Mission in the Democratic Republic of the Congo;

2. *Condemns*:

(*a*) The continuing violations of human rights and international humanitarian law in the Democratic Republic of the Congo, particularly in Ituri, North and South Kivu and other areas in the eastern part of the country;

(*b*) The persistence, in the eastern part of the country, of the armed violence and reprisals against the civilian population, especially in North and South Kivu and in Ituri;

(*c*) All the massacres that have occurred in the province of Ituri, particularly the massacres at Drodro, and most recently, at Katchele on 6 October 2003, while supporting the efforts of the United Nations Organization Mission in the Democratic Republic of the Congo and the Office of the United Nations High Commissioner for Human Rights to investigate them;

(*d*) The reported perpetration of acts of mutilation and cannibalism in the Mambasa region;

(*e*) The cases of summary or arbitrary execution, disappearance, torture, harassment, unlawful arrest, widespread persecution and arbitrary detention for long periods;

(*f*) The widespread recourse to sexual violence against women and children, inter alia, as a means of warfare;

(*g*) The continuing recruitment and use of child soldiers by armed forces and groups, in particular in the eastern part of the Democratic Republic of the Congo, which are contrary to international law;

(*h*) The impunity of those responsible for violations of human rights and international humanitarian law, and points out in this connection that the Democratic Republic of the Congo is a party to the Rome Statute of the International Criminal Court;[556]

(*i*) The illegal exploitation of the natural resources of the Democratic Republic of the Congo, in view of the link between that exploitation and the continuation of the conflict;

3. *Expresses its concern* regarding:

(*a*) The breaches of freedom of expression, opinion, association and assembly and the attacks on human rights defenders throughout the territory of the Democratic Republic of the Congo, in particular in the eastern part of the country;

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[555] See A/58/534.

[556] *Official Records of the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court, Rome, 15 June–17 July 1998*, vol. I: *Final documents* (United Nations publication, Sales No. E.02.I.5), sect. A.

(*b*) The continued suspension of the moratorium on the carrying out of the death penalty, in particular the death sentences passed on 7 January 2003 by the Military Order Court which had tried the persons accused of assassinating the former President of the Republic;

(*c*) The excessive accumulation and spread of small arms and the distribution, circulation and illicit trafficking of arms in the region and their negative impact on human rights;

(*d*) The increase in the number of refugees and internally displaced persons, in particular in the eastern part of the country;

(*e*) The continued insecurity, particularly in the east of the country in the zones still held by armed groups, which seriously hampers the efforts of humanitarian organizations to gain access to people affected by the worrying humanitarian situation;

4. *Urges* all parties to the conflict in the Democratic Republic of the Congo:

(*a*) To cease immediately all military activities, including support for the armed groups allied to them, in order to facilitate the re-establishment of the sovereignty, unity and territorial integrity of the Democratic Republic of the Congo;

(*b*) To implement fully and without delay both the Bujumbura Commitment of 19 June 2003 and the Dar es Salaam Agreement of 16 May 2003 and to cooperate with the Ituri Interim Administration in overseeing the settlement of the conflict in the north-eastern part of the Democratic Republic of the Congo;

(*c*) To continue to respect their obligations as regards the implementation of the Transitional Constitution;

(*d*) To allow free and secure access to all areas so as to permit and support investigations of the presumed serious violations of human rights and international humanitarian law, with a view to bringing those responsible to justice, and to cooperate fully to that end with national and international human rights protection mechanisms to investigate alleged human rights violations and breaches of international humanitarian law in the Democratic Republic of the Congo;

(*e*) To put an immediate end to the recruitment and use of child soldiers, which are in contravention of international law and the African Charter on the Rights and Welfare of the Child,[557] with the understanding that, under the Convention on the Rights of the Child[558] and the Optional Protocol thereto on the involvement of children in armed conflict,[559] persons under the age of 18 are entitled to special protection, and to provide information without delay on measures taken to discontinue such practices;

(*f*) To meet the special needs of women and girls in post-conflict reconstruction as well as to ensure the full participation of women in all aspects of conflict resolution and peace processes, including peacekeeping, conflict management and peace-building, as a matter of priority;

(*g*) To implement all necessary measures to put an end to the widespread violations of human rights and to impunity, in particular with regard to the sexual violence against women and children;

(*h*) To protect human rights and to respect international humanitarian law, in particular by ensuring the safety, security and freedom of movement of all civilians, as well as United Nations and associated personnel, and the unhindered access of humanitarian personnel to all of the affected population throughout the territory of the Democratic Republic of the Congo;

(*i*) To prevent conditions that might lead to flows of refugees and displaced persons in the territory of the Democratic Republic of the Congo and across its borders and to take and apply all necessary measures to establish conditions conducive to the voluntary return of refugees and displaced persons;

5. *Urges* the Government of National Unity and Transition to ensure that the protection of human rights and the establishment of a State based on the rule of law and of an independent judiciary are among its highest priorities, including the establishment of the necessary institutions as reflected in the Global and All-Inclusive Agreement on the Transition in the Democratic Republic of the Congo, signed in Pretoria on 17 December 2002;

6. *Calls upon* the Government of National Unity and Transition to take specific measures:

(*a*) To achieve the objectives of the transitional period as laid down in the Global and All-Inclusive Agreement, in particular the holding of free and transparent elections at all levels, enabling the establishment of a democratic constitutional regime, and the formation of a restructured and integrated national army;

(*b*) To strengthen the transitional institutions and to re-establish stability and the rule of law over the entire territory of the Democratic Republic of the Congo, thereby returning peace and progress to its people;

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[557] *Human Rights: A Compilation of International Instruments*, vol. II: *Regional Instruments* (United Nations publication, Sales No. E.97.XIV.1), sect. C, No. 39.

[558] Resolution 44/25, annex.

[559] Resolution 54/263, annex I.

(*c*) To comply fully with its obligations under international human rights instruments and, accordingly, to continue to cooperate with United Nations mechanisms for the protection of human rights and further strengthen its cooperation with the Office of the United Nations High Commissioner for Human Rights in the Democratic Republic of the Congo;

(*d*) To carry out a comprehensive reform of the judicial system;

(*e*) To reinstate the moratorium on capital punishment and adhere to its commitment to progressively abolish the death penalty;

(*f*) To put an end to impunity and to ensure that those responsible for human rights violations and grave breaches of international humanitarian law are brought to justice in accordance with due process;

(*g*) To cooperate with the International Criminal Court and to continue to cooperate with the International Tribunal for Rwanda;

7. *Calls upon* the United Nations High Commissioner for Human Rights to keep it informed of the consultations between his/her Office and the Secretary-General concerning the ways in which to assist the transitional Government of the Democratic Republic of the Congo in tackling the problem of impunity;

8. *Calls upon* the international community:

(*a*) To support the human rights field office in the Democratic Republic of the Congo in order to make possible the effective implementation of its programmes;

(*b*) To support the organization, at the appropriate time and under the aegis of the United Nations and the African Union, of an international conference on peace, security, democracy and development in the Great Lakes region of Africa, with the participation of all the Governments of the region and all other parties concerned, and to support the introduction of human rights and humanitarian issues as one of the main themes of this conference;

9. *Requests*:

(*a*) The Special Rapporteurs of the Commission on Human Rights on the situation of human rights in the Democratic Republic of the Congo and on extrajudicial, summary or arbitrary executions and a member of the Working Group on Enforced or Involuntary Disappearances of the Commission to carry out a mission of investigation in the Democratic Republic of the Congo and to report to the Commission at its sixtieth session and to the General Assembly at its fifty-ninth session;

(*b*) The Secretary-General to give the Special Rapporteurs and the joint mission all necessary assistance to enable them to discharge their mandate fully;

(*c*) The United Nations High Commissioner for Human Rights to provide the technical skills needed by the joint mission to discharge its mandate;

(*d*) The Secretary-General to encourage the United Nations Organization Mission in the Democratic Republic of the Congo to continue to raise the awareness of and provide training to all Mission staff, including civilian police and military personnel, with respect to the relevant child protection standards, in particular when dealing with child soldiers, and to cooperate closely with the Special Representative of the Secretary-General for Children and Armed Conflict;

(*e*) The Secretary-General to encourage the United Nations Organization Mission in the Democratic Republic of the Congo to continue to actively address the issues of gender, the full enjoyment of all human rights by women and the fight to eliminate violence against women and to provide adequate training to all Mission personnel in this regard;

10. *Decides* to continue to examine the situation of human rights in the Democratic Republic of the Congo, and requests the Special Rapporteur to report to the General Assembly at its fifty-ninth session.

RESOLUTION 58/244

Adopted at the 79th plenary meeting, on 23 December 2003, on the recommendation of the Committee (A/58/501, para. 43),[560] by a recorded vote of 126 to 5, with 30 abstentions, as follows:

In favour: Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahrain, Bangladesh, Belarus, Belize, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Greece, Grenada, Guatemala, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Italy, Jamaica, Jordan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Portugal, Qatar, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saudi Arabia, Senegal, Serbia and Montenegro, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, Spain, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey,

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[560] The draft resolution recommended in the report was sponsored in the Committee by: Mexico, Morocco (on behalf of the States Members of the United Nations that are members of the Group of 77 and China) and Romania.

Turkmenistan, Tuvalu, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: Australia, Canada, Japan, New Zealand, United States of America

Abstaining: Albania, Austria, Belgium, Bulgaria, Croatia, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Hungary, Iceland, Ireland, Israel, Latvia, Liechtenstein, Lithuania, Luxembourg, Netherlands, Norway, Poland, Republic of Korea, San Marino, Sweden, Switzerland, Ukraine United Kingdom of Great Britain and Northern Ireland, Uzbekistan

58/244. Future operation of the International Research and Training Institute for the Advancement of Women

The General Assembly,

Recalling its previous resolutions on the subject, in particular resolutions 55/219 of 23 December 2000, 56/125 of 19 December 2001 and 57/175 of 18 December 2002,

Recalling also that, in its resolution 56/125, it decided to establish a working group mandated to make recommendations to the General Assembly on the future operation of the International Research and Training Institute for the Advancement of Women,

Reaffirming its resolution 57/311 of 18 June 2003 on the financial situation of the Institute,

Welcoming Economic and Social Council resolution 2003/57 of 24 July 2003, in which the Council decided to amend articles III and IV of the statute of the Institute,

Welcoming also the efforts and the consistency in the work of the Working Group on the Future Operation of the International Research and Training Institute for the Advancement of Women in promoting a comprehensive approach to the revitalization and strengthening of the Institute, which has led to the adoption of important institutional and political changes that are contributing to the strengthening of the Institute,

1. *Welcomes* the report of the Working Group on the Future Operation of the International Research and Training Institute for the Advancement of Women,[561] in which the Working Group, inter alia, reaffirmed the mandate of the Institute in the field of gender equality and the advancement of women and stressed the need for it to be reformed and revitalized, as recommended in its previous report[562] and endorsed by the General Assembly in its resolution 57/175;

2. *Decides* to continue monitoring the implementation of the measures recommended by the Working Group in its report,[562] in close consultation with the Secretary-General;

3. *Stresses* the critical importance of voluntary financial contributions by Member States to the United Nations Trust Fund for the International Research and Training Institute for the Advancement of Women to enable it to carry out its mandate;

4. *Urges* Member States to make voluntary contributions to the Trust Fund, particularly during this critical transitional period;

5. *Decides* to continue to provide its full support to the current efforts to revitalize the Institute and, in this regard, to provide funds complementary to the existing ones, if needed, to ensure that the Institute will have adequate resources to function for a period of one year and to submit its report to the General Assembly as requested in resolution 57/311, in the light of the delay in appointing a Director to implement a feasible work programme and fund-raising activities;

6. *Also decides* to request the Working Group to continue monitoring the implementation of the recommendations and measures contained in its report[562] until the new executive board convenes its first session;

7. *Requests* the Secretary-General to report to the General Assembly at its fifty-ninth session on the implementation of the present resolution.

RESOLUTION 58/245

Adopted at the 79th plenary meeting, on 23 December 2003, on the recommendation of the Committee (A/58/504, para. 65),[563] by a recorded vote of 115 to 20, with 28 abstentions, as follows:

In favour: Algeria, Angola, Antigua and Barbuda, Armenia, Austria, Azerbaijan, Bahrain, Bangladesh, Belarus, Belize, Benin, Bolivia, Botswana, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, Eritrea, Ethiopia, France, Gabon, Gambia, Ghana, Greece, Grenada, Guatemala, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Peru, Philippines, Qatar, Romania, Russian Federation, Rwanda, Saint Lucia, Saudi Arabia, Senegal, Singapore, Slovenia, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Viet Nam, Yemen, Zambia, Zimbabwe

Against: Australi[illegible]lgium, Canada, Denmark, Finland, Georgia, Germany, Iceland, Israel, Jap[illegible] Lithuania, Luxembourg, Netherlands, New Zealand,

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[561] A/58/540.

[562] A/57/330 and Add.1.

[563] The draft resolution recommended in the report was sponsored in the Committee by: Benin, Burkina Faso, Cameroon, Colombia, Congo, Côte d'Ivoire, Democratic Republic of the Congo, Egypt, Ethiopia, Gabon, Gambia, Guinea-Bissau, Kenya, Malawi, Malaysia, Mali, Mauritania, Mozambique, Niger, Nigeria, Rwanda, Sierra Leone, Sudan, Swaziland, Syrian Arab Republic and United Republic of Tanzania.

Poland, Sweden, Switzerland, Uganda, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Albania, Andorra, Argentina, Bosnia and Herzegovina, Brazil, Bulgaria, Croatia, Czech Republic, Estonia, Fiji, Hungary, Latvia, Mongolia, Norway, Panama, Paraguay, Portugal, Republic of Korea, Republic of Moldova, San Marino, Serbia and Montenegro, Slovakia, Solomon Islands, Spain, the former Yugoslav Republic of Macedonia, Turkey, Tuvalu, Venezuela

58/245. Office of the Special Representative of the Secretary-General for Children and Armed Conflict

The General Assembly,

Recalling paragraphs 35 to 37 of its resolution 51/77 of 12 December 1996 on the rights of the child, in which the mandate of the Special Representative of the Secretary-General for Children and Armed Conflict was established,

Recalling also its resolution 57/190 of 18 December 2002, in which it requested the Secretary-General to undertake a comprehensive assessment of the scope and effectiveness of the United Nations system response to the issue of children affected by armed conflict, including recommendations for strengthening, mainstreaming, integrating and sustaining those activities,

Taking note of the report of the Special Representative of the Secretary-General for Children and Armed Conflict[564] and his oral statement to the Third Committee of the General Assembly on 20 October 2003,[565]

Recalling the role of the General Assembly in promoting the protection of children affected by armed conflict,

Recognizing the progress achieved since the establishment of the mandate of the Special Representative and the recommendation by which the Secretary-General extended the mandate of the Special Representative for a further period of three years,

Commending the support and the voluntary contributions of donor countries for the work of the Special Representative in the fulfilment of his mandate,

Expressing concern about the financial instability of the Office of the Special Representative and its adverse impact on the implementation of the mandate,

Decides that the activities under the mandate of the Special Representative of the Secretary-General for Children and Armed Conflict shall be supported through regular budgetary funding.

RESOLUTION 58/246

Adopted at the 79th plenary meeting, on 23 December 2003, without a vote, on the recommendation of the Committee (A/58/508/Add.2, para. 131)[566]

58/246. Ad Hoc Committee on a Comprehensive and Integral International Convention on the Protection and Promotion of the Rights and Dignity of Persons with Disabilities

The General Assembly,

Recalling its resolution 56/168 of 19 December 2001, by which it decided to establish an Ad Hoc Committee open to the participation of all Member States and observers to the United Nations, to consider proposals for a comprehensive and integral international convention to promote and protect the rights and dignity of persons with disabilities, based on a holistic approach in the work done in the fields of social development, human rights and non-discrimination and taking into account the recommendations of the Commission on Human Rights and the Commission for Social Development,

Recalling also its resolution 57/229 of 18 December 2002, as well as relevant resolutions of the Commission for Social Development and the Commission on Human Rights,

Reaffirming the universality, indivisibility and interdependence of all human rights and fundamental freedoms and the need for persons with disabilities to be guaranteed their full enjoyment without discrimination,

Convinced of the contribution that a convention can make in this regard,

Encouraging Member States and observers to participate actively in the Ad Hoc Committee in order to present to the General Assembly, as a matter of priority, a draft text of a convention,

Stressing the importance of the active participation of intergovernmental and non-governmental organizations and national human rights institutions in the work of the Ad Hoc

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[564] See A/58/328 and Corr.1.

[565] See *Official Records of the General Assembly, Fifty-eighth Session, Third Committee*, 18th meeting (A/C.3/58/SR.18), and corrigendum.

[566] The draft resolution recommended in the report was sponsored in the Committee by: Afghanistan, Albania, Andorra, Argentina, Austria, Bangladesh, Belgium, Benin, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Burkina Faso, Cameroon, Canada, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Dominica, Dominican Republic, Ecuador, El Salvador, Eritrea, Finland, France, Germany, Ghana, Greece, Guatemala, Honduras, Hungary, Iran (Islamic Republic of), Ireland, Israel, Italy, Jamaica, Japan, Jordan, Lithuania, Luxembourg, Malawi, Mali, Malta, Mexico, Morocco, Namibia, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Moldova, Romania, Rwanda, Saint Vincent and the Grenadines, Senegal, Sierra Leone, Slovakia, Slovenia, South Africa, Spain, Sweden, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Trinidad and Tobago, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay, Venezuela and Zimbabwe.

Committee, and their valuable contribution to the promotion of the full enjoyment of all human rights and fundamental freedoms by persons with disabilities,

Recognizing the important contributions made thus far to the Ad Hoc Committee by all stakeholders,

1. *Welcomes* the report of the Ad Hoc Committee on a Comprehensive and Integral International Convention on the Protection and Promotion of the Rights and Dignity of Persons with Disabilities;[567]

2. *Requests* the Secretary-General to transmit the report of the Ad Hoc Committee to the Commission for Social Development at its forty-second session and to the Commission on Human Rights at its sixtieth session, and further requests both Commissions to continue to contribute to the work of the Ad Hoc Committee;

3. *Endorses* the decision of the Ad Hoc Committee to establish a Working Group with the aim of preparing and presenting a draft text, which would be the basis for negotiations on the draft convention in the Ad Hoc Committee, taking into account all contributions;[568]

4. *Notes* that the Working Group will present the outcome of its work on a draft text to the Ad Hoc Committee at the third session of the Committee;

5. *Decides* that the Ad Hoc Committee shall start the negotiations on a draft convention at its third session;

6. *Decides also* that the Ad Hoc Committee shall hold, within existing resources, two sessions in 2004 of ten working days each, prior to the fifty-ninth session of the General Assembly;

7. *Underlines* the importance of strengthening the cooperation and coordination between the Office of the United Nations High Commissioner for Human Rights and the Department of Economic and Social Affairs of the Secretariat in order to support jointly the work of the Ad Hoc Committee;

8. *Urges* that further efforts be made to ensure the active participation of non-governmental organizations in the Ad Hoc Committee, in accordance with General Assembly resolution 56/510 of 23 July 2002 and based on the decision of the Ad Hoc Committee on the modalities for the participation of non-governmental organizations in its work;

9. *Stresses* the need for additional efforts to ensure accessibility at the United Nations, with reasonable accommodation regarding facilities and documentation, for all persons with disabilities, in accordance with General Assembly decision 56/474 of 23 July 2002;

10. *Requests* the Secretary-General to continue to provide the Ad Hoc Committee with the facilities necessary for the performance of its work;

11. *Encourages* Member States to continue to include in their delegations to the meetings of the Ad Hoc Committee persons with disabilities and/or other experts in the field;

12. *Urges* Member States, observers, civil society and the private sector to contribute to the voluntary fund established pursuant to its resolution 57/229 to support the participation of non-governmental organizations and experts from developing countries, in particular least developed countries, in the work of the Ad Hoc Committee;

13. *Requests* the Secretary-General to transmit a comprehensive report of the Ad Hoc Committee to the General Assembly at its fifty-ninth session and to report on the implementation of paragraphs 7, 8 and 9 of the present resolution.

RESOLUTION 58/247

Adopted at the 79th plenary meeting, on 23 December 2003, without a vote, on the recommendation of the Committee (A/58/508/Add.3, para. 57)[569]

58/247. Situation of human rights in Myanmar

The General Assembly,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights,[570] the International Covenants on Human Rights[571] and other human rights instruments,

Reaffirming that all States Members of the United Nations have an obligation to promote and protect human rights and fundamental freedoms and to fulfil the obligations they have undertaken under the various international instruments in the field,

Aware that Myanmar is a party to the Convention on the Rights of the Child,[572] the Convention on the Elimination of All Forms of Discrimination against Women,[573] the Convention on the Prevention and Punishment of the Crime of Genocide[574] and the Geneva Conventions of 12 August 1949 for the protection of victims of war,[575] as well as the Convention concerning Forced or Compulsory Labour, 1930 (Convention No. 29) and the Convention concerning Freedom of Association and Protection of the Right to Organize, 1948 (Convention No. 87), of the International Labour Organization,

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[567] See A/58/118 and Corr.1.

[568] Ibid., para. 15.

[569] The draft resolution recommended in the report was sponsored in the Committee by: Albania, Andorra, Australia, Austria, Belgium, Bulgaria, Canada, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, United Kingdom of Great Britain and Northern Ireland and United States of America.

[570] Resolution 217 A (III).

[571] Resolution 2200 A (XXI), annex.

[572] Resolution 44/25, annex.

[573] Resolution 34/180, annex.

[574] Resolution 260 A (III).

Bearing in mind Security Council resolution 1460 (2003) of 30 January 2003 on children and armed conflict and the report of the Secretary-General pursuant thereto,[576]

Recalling its previous resolutions on the subject, the most recent of which is resolution 57/231 of 18 December 2002, those of the Commission on Human Rights, the most recent of which is resolution 2003/12 of 16 April 2003,[577] and resolution I adopted by the International Labour Conference at its eighty-eighth session, on 14 June 2000, concerning the practice of forced or compulsory labour in Myanmar,

Affirming that the will of the people is the basis of the authority of government and that the will of the people of Myanmar was clearly expressed in the elections held in 1990,

Affirming also that the establishment of a genuine democratic government in Myanmar is essential for the realization of all human rights and fundamental freedoms,

Recognizing that good governance, democracy, the rule of law and respect for human rights are essential to achieving sustainable development and economic growth,

Taking note of the increasing awareness of the Government of Myanmar of the need to comprehensively address the production of opium in Myanmar,

Taking note also of the road map for the transition to democracy announced by the Prime Minister of Myanmar on 30 August 2003,

1. *Welcomes*:

(*a*) The visits to Myanmar by the Special Envoy of the Secretary-General for Myanmar during the past year and the visits by the Special Rapporteur of the Commission on Human Rights on the situation of human rights in Myanmar;

(*b*) Efforts by the international community, including support from countries in the region, to encourage the Government of Myanmar to resume its efforts towards national reconciliation and dialogue, pursuant to acknowledging the importance of strengthening democracy as a fundamental element of regional security;

(*c*) The report of the Secretary-General;[578]

(*d*) The interim report of the Special Rapporteur of the Commission on Human Rights on the situation of human rights in Myanmar;[579]

(*e*) The agreement, reached on 27 May 2003, on the Joint Government of the Union of Myanmar-International Labour Organization Plan of Action for the Elimination of Forced Labour Practices in Myanmar, including the agreement to an independent facilitator to assist possible victims of forced labour, while noting that the conditions for the implementation of the Plan of Action do not exist at present;

(*f*) The continued cooperation of the Government of Myanmar with the International Committee of the Red Cross;

2. *Expresses its grave concern* at:

(*a*) The events of 30 May 2003, the corresponding, subsequent and continuing violations of human rights, which constitute a serious setback for the human rights situation in the country, and the apparent involvement of the Government-affiliated Union Solidarity and Development Association in those events;

(*b*) The detention and the house arrest of Daw Aung San Suu Kyi and the persistent denial of her human rights and fundamental freedoms, including freedom of movement, as well as the continued detention of other senior leaders of the National League for Democracy;

(*c*) The closure of offices of the National League for Democracy throughout the country and the increased surveillance and imprisonment of members and supporters of the National League for Democracy and other political organizations, as well as the continuing detentions, including of prisoners whose sentences have expired;

(*d*) The systematic and consistent harassment and intimidation of members of the National League for Democracy by members of the Union Solidarity and Development Association;

(*e*) The lack of cooperation shown by the Government of Myanmar towards the Special Rapporteur of the Commission on Human Rights on the situation of human rights in Myanmar, in particular with regard to his proposal to visit ethnic nationality areas to investigate allegations of serious human rights violations;

3. *Expresses once again its grave concern* at:

(*a*) The ongoing systematic violation of the human rights, including civil, political, economic, social and cultural rights, of the people of Myanmar, in particular:

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[575] United Nations, *Treaty Series*, vol. 75, Nos. 970–973.

[576] A/58/546-S/2003/1053 and Corr.1.

[577] See *Official Records of the Economic and Social Council, 2003, Supplement No. 3* (E/2003/23), chap. II, sect. A.

[578] A/58/325 and Add.1.

[579] See A/58/219.

(i) Extrajudicial killing; continuing use of torture; rape and other forms of sexual violence persistently carried out by members of the armed forces; unsatisfactory conditions of detention; forced relocation; wide disrespect for the rule of law and lack of independence of the judiciary; trafficking in persons; forced labour, including child labour; destruction of livelihoods and confiscation of land by the armed forces; and violations of the right to an adequate standard of living, including food, medical care and education;

(ii) Denial of freedom of expression, including freedom of the media, of association, of assembly and of movement;

(iii) Discrimination and persecution on the basis of religious or ethnic background suffered by persons belonging to ethnic minorities, women and children;

(*b*) The situation of the large number of internally displaced persons and the flow of refugees to neighbouring countries, and recalls in this context the obligations of Myanmar under international law;

4. *Calls upon* the Government of Myanmar:

(*a*) To initiate a full and independent inquiry, with international cooperation, into the Depayin incident of 30 May 2003;

(*b*) To immediately facilitate and cooperate fully with the proposed investigation by the Special Rapporteur of the Commission on Human Rights on the situation of human rights in Myanmar into charges of rape and other abuse of civilians carried out by members of the armed forces in Shan and other states, including unhindered access to the region, and to guarantee the safety of those cooperating with and covered by the investigation;

(*c*) To immediately secure the safe and unhindered access to all parts of Myanmar of the United Nations and international humanitarian organizations to ensure the provision of humanitarian assistance and to guarantee that it reaches the most vulnerable groups of the population;

(*d*) To pursue through dialogue and peaceful means an immediate end to conflict with all remaining ethnic groups with which ceasefire agreements have not yet been signed, and to live up to its obligations to improve the development and human rights situation in ceasefire areas;

(*e*) To take all necessary steps to pursue cooperation with the International Labour Organization, with a view to implementing fully the recommendations of the Commission of Enquiry established to examine the observance by Myanmar of the International Labour Organization Convention concerning Forced or Compulsory Labour, and to create an environment in which the Joint Government of the Union of Myanmar-International Labour Organization Plan of Action for the Elimination of Forced Labour Practices in Myanmar, in particular the facilitator mechanism which it established, may be implemented in a credible manner;

5. *Strongly urges* the Government of Myanmar:

(*a*) To end the systematic violations of human rights in Myanmar and to ensure full respect for all human rights and fundamental freedoms;

(*b*) To immediately and unconditionally release Daw Aung San Suu Kyi, other leaders of the National League for Democracy and members of the National League for Democracy detained on or after 30 May 2003 and to allow them to play a full role in bringing about national reconciliation and the transition towards democracy;

(*c*) To immediately and unconditionally release all other political detainees;

(*d*) To immediately reverse all the other "temporary" measures imposed following the incident of 30 May 2003, including by reopening all the offices of the National League for Democracy throughout the country;

(*e*) To immediately lift all restraints on peaceful political activity and to fully guarantee freedom of expression, including freedom of the media, association and assembly;

(*f*) To put an end to impunity by investigating and bringing to justice any perpetrators of human rights violations, including members of the military and of the Union Solidarity and Development Association, and other government agents in all circumstances;

(*g*) To enhance cooperation with the Special Envoy of the Secretary-General for Myanmar and the Special Rapporteur of the Commission on Human Rights on the situation of human rights in Myanmar in order to assess first-hand the situation after 30 May 2003, to bring the country towards a transition to civilian rule, to ensure that they are both granted full and free access to Myanmar and that all persons cooperating with them are not subjected to any form of intimidation, harassment or punishment and, while in Myanmar, to provide them with equal access to the leaders and members of all the country's political parties, including the National League for Democracy;

(*h*) To restore democracy and respect the results of the 1990 elections and to enter immediately into substantive and structured dialogue with Daw Aung San Suu Kyi and other leaders of the National League for Democracy towards democratization and national reconciliation and, at an early stage, to include other political leaders in those talks, including representatives of the ethnic groups;

(*i*) To elaborate the road map, which is still lacking in essential elements such as concrete timing and an adequate plan for the involvement of all political groups and ethnic nationalities, in a way that ensures that the process is transparent and inclusive;

6. *Once again urges* the Government of Myanmar, as stated in its resolution 57/231 and in Commission on Human Rights resolution 2003/12:

(*a*) To ensure the independence of the judiciary and due process of law;

(*b*) To consider as a matter of high priority becoming a party to those remaining international human rights instruments to which it is not already party, and to comply fully with its obligations under international human rights instruments;

(*c*) To put an immediate end to the recruitment and use of child soldiers, inter alia, by some armed ethnic groups, and ensure their disarmament, demobilization and reintegration, to end systematic enforced displacement and provide protection and assistance to internally displaced persons, to allow the safe and dignified voluntary return of refugees, and to carry out the appropriate action to fight the HIV/AIDS epidemic;

7. *Requests* the Secretary-General:

(*a*) To continue to provide his good offices and to pursue his discussions on the situation of human rights and the restoration of democracy with the Government and people of Myanmar, including all relevant parties to the national reconciliation process in Myanmar;

(*b*) To report to the General Assembly at its fifty-ninth session and to the Commission on Human Rights at its sixtieth session on the progress made in the implementation of the present resolution;

(*c*) To give all necessary assistance to enable his Special Envoy to implement the present resolution and, in the context of the facilitation role, to explore any and all possibilities for discharging fully and effectively his mandate;

(*d*) To continue to give all necessary assistance to the Special Rapporteur of the Commission on Human Rights on the situation of human rights in Myanmar to enable him to discharge his mandate fully;

8. *Decides* to continue the consideration of this question at its fifty-ninth session.

VI. Resolutions adopted on the reports of the Fifth Committee

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RESOLUTIONS 58/1 A and B

58/1. Scale of assessments for the apportionment of the expenses of the United Nations

Resolution A

Adopted at the 34th plenary meeting, on 16 October 2003, without a vote, on the recommendation of the Committee (A/58/432, para. 7)[1]

A

The General Assembly,

Having considered the letter dated 3 July 2003 from the President of the General Assembly to the Chairman of the Fifth Committee transmitting a letter dated 27 June 2003 from the Chairman of the Committee on Contributions regarding the recommendations of that Committee on requests for exemption under Article 19 of the Charter of the United Nations,[2]

Having also considered the letter dated 1 October 2003 from the President of the General Assembly to the Chairman of the Fifth Committee transmitting a letter dated 26 September 2003 from the Permanent Representative of the Niger to the United Nations,[3]

Reaffirming the obligation of Member States under Article 17 of the Charter to bear the expenses of the Organization as apportioned by the General Assembly,

1. *Reaffirms* its role in accordance with the provisions of Article 19 of the Charter of the United Nations and the advisory role of the Committee on Contributions in accordance with rule 160 of the rules of procedure of the General Assembly;

2. *Also reaffirms* its resolution 54/237 C of 23 December 1999;

3. *Agrees* that the failure of Burundi, the Central African Republic, the Comoros, Georgia, Guinea-Bissau, the Republic of Moldova, Sao Tome and Principe, Somalia and Tajikistan to pay the full minimum amount necessary to avoid the application of Article 19 of the Charter was due to conditions beyond their control, while noting the observations in paragraphs 82 and 90 of the annex to the letter from the Chairman of the Committee on Contributions;[2]

4. *Takes note* of the information provided by the Niger, and welcomes its intention to submit a schedule for the payment of its contributions and arrears;

5. *Concludes* that the failure of the Niger to pay the full minimum amount necessary to avoid the application of Article 19 of the Charter was due to conditions beyond its control, and invites the Niger to submit appropriate information to the Committee on Contributions if similar circumstances prevail in the future;

6. *Decides* that Burundi, the Central African Republic, the Comoros, Georgia, Guinea-Bissau, the Niger, the Republic of Moldova, Sao Tome and Principe, Somalia and Tajikistan should be permitted to vote in the General Assembly until 30 June 2004.

Resolution B

Adopted at the 79th plenary meeting, on 23 December 2003, without a vote, on the recommendation of the Committee (A/58/432/Add.1, para. 7)[4]

B

The General Assembly,

Recalling its resolutions 43/223 B of 21 December 1988, 46/221 B of 20 December 1991, 55/5 B, C and D of 23 December 2000, 57/4 B of 20 December 2002 and 57/4 C of 15 April 2003,

Having considered the report of the Committee on Contributions on the work of its sixty-third session,[5]

Having also considered the report of the Secretary-General on multi-year payment plans[6] and his note on the outstanding assessed contributions of the former Yugoslavia,[7] as well as the letter dated 27 December 2001 from the Secretary-General addressed to the President of the General Assembly,[8]

Reaffirming the obligation of all Member States to bear the expenses of the United Nations, as apportioned by the General Assembly, in conformity with Article 17, paragraph 2, of the Charter of the United Nations,

Reaffirming also the fundamental principle that the expenses of the Organization shall be apportioned among Member States broadly according to capacity to pay,

1. *Reaffirms* its earlier decision in its resolution 55/5 B that the elements of the scale of assessments outlined in paragraph 1 of that resolution will be fixed until 2006;

2. *Resolves* that the scale of assessments for the contributions of Member States to the regular budget of the United Nations for the years 2004, 2005 and 2006 shall be as follows:

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[1] The draft resolution recommended in the report was submitted by the Chairman of the Committee.

[2] A/C.5/57/39.

[3] A/C.5/58/4.

[4] The draft resolution recommended in the report was submitted by the Chairman of the Committee.

[5] *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 11* (A/58/11).

[6] A/58/63.

[7] A/58/189.

[8] A/56/767.

Member State	*Percentage*
Afghanistan	0.002
Albania	0.005
Algeria	0.076
Andorra	0.005
Angola	0.001
Antigua and Barbuda	0.003
Argentina	0.956
Armenia	0.002
Australia	1.592
Austria	0.859
Azerbaijan	0.005
Bahamas	0.013
Bahrain	0.030
Bangladesh	0.010
Barbados	0.010
Belarus	0.018
Belgium	1.069
Belize	0.001
Benin	0.002
Bhutan	0.001
Bolivia	0.009
Bosnia and Herzegovina	0.003
Botswana	0.012
Brazil	1.523
Brunei Darussalam	0.034
Bulgaria	0.017
Burkina Faso	0.002
Burundi	0.001
Cambodia	0.002
Cameroon	0.008
Canada	2.813
Cape Verde	0.001
Central African Republic	0.001
Chad	0.001
Chile	0.223
China	2.053
Colombia	0.155
Comoros	0.001
Congo	0.001
Costa Rica	0.030
Côte d'Ivoire	0.010
Croatia	0.037
Cuba	0.043
Cyprus	0.039
Czech Republic	0.183
Democratic People's Republic of Korea	0.010
Democratic Republic of the Congo	0.003
Denmark	0.718
Djibouti	0.001
Dominica	0.001

Member State	*Percentage*
Dominican Republic	0.035
Ecuador	0.019
Egypt	0.120
El Salvador	0.022
Equatorial Guinea	0.002
Eritrea	0.001
Estonia	0.012
Ethiopia	0.004
Fiji	0.004
Finland	0.533
France	6.030
Gabon	0.009
Gambia	0.001
Georgia	0.003
Germany	8.662
Ghana	0.004
Greece	0.530
Grenada	0.001
Guatemala	0.030
Guinea	0.003
Guinea-Bissau	0.001
Guyana	0.001
Haiti	0.003
Honduras	0.005
Hungary	0.126
Iceland	0.034
India	0.421
Indonesia	0.142
Iran (Islamic Republic of)	0.157
Iraq	0.016
Ireland	0.350
Israel	0.467
Italy	4.885
Jamaica	0.008
Japan	19.468
Jordan	0.011
Kazakhstan	0.025
Kenya	0.009
Kiribati	0.001
Kuwait	0.162
Kyrgyzstan	0.001
Lao People's Democratic Republic	0.001
Latvia	0.015
Lebanon	0.024
Lesotho	0.001
Liberia	0.001
Libyan Arab Jamahiriya	0.132
Liechtenstein	0.005
Lithuania	0.024
Luxembourg	0.077

Member State	*Percentage*
Madagascar	0.003
Malawi	0.001
Malaysia	0.203
Maldives	0.001
Mali	0.002
Malta	0.014
Marshall Islands	0.001
Mauritania	0.001
Mauritius	0.011
Mexico	1.883
Micronesia (Federated States of)	0.001
Monaco	0.003
Mongolia	0.001
Morocco	0.047
Mozambique	0.001
Myanmar	0.010
Namibia	0.006
Nauru	0.001
Nepal	0.004
Netherlands	1.690
New Zealand	0.221
Nicaragua	0.001
Niger	0.001
Nigeria	0.042
Norway	0.679
Oman	0.070
Pakistan	0.055
Palau	0.001
Panama	0.019
Papua New Guinea	0.003
Paraguay	0.012
Peru	0.092
Philippines	0.095
Poland	0.461
Portugal	0.470
Qatar	0.064
Republic of Korea	1.796
Republic of Moldova	0.001
Romania	0.060
Russian Federation	1.100
Rwanda	0.001
Saint Kitts and Nevis	0.001
Saint Lucia	0.002
Saint Vincent and the Grenadines	0.001
Samoa	0.001
San Marino	0.003
Sao Tome and Principe	0.001
Saudi Arabia	0.713
Senegal	0.005
Serbia and Montenegro	0.019
Seychelles	0.002
Sierra Leone	0.001
Singapore	0.388
Slovakia	0.051
Slovenia	0.082
Solomon Islands	0.001
Somalia	0.001
South Africa	0.292
Spain	2.520
Sri Lanka	0.017
Sudan	0.008
Suriname	0.001
Swaziland	0.002
Sweden	0.998
Switzerland	1.197
Syrian Arab Republic	0.038
Tajikistan	0.001
Thailand	0.209
The former Yugoslav Republic of Macedonia	0.006
Timor-Leste	0.001
Togo	0.001
Tonga	0.001
Trinidad and Tobago	0.022
Tunisia	0.032
Turkey	0.372
Turkmenistan	0.005
Tuvalu	0.001
Uganda	0.006
Ukraine	0.039
United Arab Emirates	0.235
United Kingdom of Great Britain and Northern Ireland	6.127
United Republic of Tanzania	0.006
United States of America	22.000
Uruguay	0.048
Uzbekistan	0.014
Vanuatu	0.001
Venezuela	0.171
Viet Nam	0.021
Yemen	0.006
Zambia	0.002
Zimbabwe	0.007
Total	**100.000**

3. *Also resolves* that:

(*a*) Notwithstanding the terms of financial regulation 3.9,[9] the Secretary-General shall be empowered to accept, at his discretion and after consultation with the Chairman of the Committee on Contributions, a portion of the contributions of Member States for the calendar years 2004, 2005 and 2006 in currencies other than the United States dollar;

(*b*) In accordance with financial regulation 3.8,[9] the Holy See, which is not a Member of the United Nations but which participates in certain of its activities, shall be called upon to contribute towards the expenses of the Organization for 2004, 2005 and 2006 on the basis of a notional assessment rate of 0.001 per cent, which represents the basis for the calculation of the flat annual fees to be charged to the Holy See in accordance with General Assembly resolution 44/197 B of 21 December 1989;

4. *Notes* that the application of the current methodology, as set out above, leads to substantial increases in the rate of assessment of some Member States, including developing countries;

5. *Emphasizes* the need for future scales of assessments to reflect the principle that the expenses of the Organization shall be apportioned broadly according to capacity to pay;

6. *Requests* the Committee on Contributions, in accordance with its mandate and the rules of procedure of the General Assembly, to continue to review the methodology of future scales of assessments based on the principle that the expenses of the Organization shall be apportioned broadly according to capacity to pay;

7. *Recalls* paragraph 7 of its resolution 54/237 D of 7 April 2000, and requests the Committee on Contributions to continue its consideration of possible systematic criteria for deciding when market exchange rates should be replaced with price-adjusted rates of exchange or other appropriate conversion rates for the purposes of preparing the scale of assessments, taking into account the relevant provisions of resolution 46/221 B, and to report thereon to the General Assembly at its fifty-ninth session;

8. *Requests* the Committee on Contributions to continue to make a thorough analysis of the revised method of calculating price-adjusted rates of exchange and to report thereon to the General Assembly at its fifty-ninth session;

9. *Recalls* paragraph 1 of its resolution 48/223 C of 23 December 1993, and reaffirms that the Committee on Contributions as a technical body is required to prepare the scale of assessments strictly on the basis of reliable, verifiable and comparable data;

10. *Takes note* of the report of the Secretary-General on multi-year payment plans;[6]

11. *Urges* all Member States to pay their assessed contributions in full, on time and without imposing conditions;

12. *Reaffirms* paragraph 1 of resolution 57/4 B;

13. *Notes* the decision of the Committee on Contributions, contained in paragraph 130 of its report,[5] to consider further at its sixty-fourth session the question of measures to encourage the payment of arrears, and requests the Committee to report thereon to the General Assembly at its fifty-ninth session;

14. *Endorses* the preliminary observations of the Committee on Contributions concerning criteria for ad hoc adjustments of the rates of assessment, contained in paragraphs 45 and 47 of its report;[5]

15. *Notes* the decision of the Committee on Contributions to consider the question further at its sixty-fourth session, and requests the Committee to report thereon to the General Assembly at its fifty-ninth session;

16. *Reaffirms* paragraph 4 of its resolution 57/4 B, and urges the Committee on Contributions to expedite its work on the criteria regarding ad hoc adjustments of the rates of assessment;

17. *Endorses* the recommendations of the Committee on Contributions contained in paragraph 122 of its report;[5]

18. *Decides* to defer until its fifty-ninth session consideration of the question of the outstanding assessed contributions of the former Yugoslavia.

RESOLUTION 58/249

Adopted at the 79th plenary meeting, on 23 December 2003, without a vote, on the recommendation of the Committee (A/58/570, para. 7)[10]

58/249. Financial reports and audited financial statements, and reports of the Board of Auditors

The General Assembly,

Having considered the audited financial statements and the report of the Board of Auditors on the voluntary funds administered by the United Nations High Commissioner for Refugees for the year ended 31 December 2002,[11] the report of the Board of Auditors on the implementation of its recommendations relating to the biennium 2000–2001,[12] the second report of the Secretary-General on the implementation of the recommendations of the Board of Auditors on the accounts of the United Nations[13] and on the accounts of the United Nations funds and programmes[14] for the biennium ended 31 December 2001, and the related report of the Advisory Committee on Administrative and Budgetary Questions,[15]

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[9] See ST/SGB/2003/7.

[10] The draft resolution recommended in the report was submitted by the Chairman of the Committee.

[11] *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 5E* (A/58/5/Add.5).

Recognizing the difficult conditions under which the Office of the United Nations High Commissioner for Refugees does its work,

1. *Accepts* the financial report and audited financial statements and the report and audit opinion of the Board of Auditors regarding the voluntary funds administered by the United Nations High Commissioner for Refugees for the period from 1 January to 31 December 2002;[11]

2. *Endorses* the recommendations of the Board of Auditors contained in its report;[16]

3. *Also endorses* the observations and recommendation contained in paragraphs 2 to 18 of the report of the Advisory Committee on Administrative and Budgetary Questions;[15]

4. *Notes with concern* the shortcomings identified by the Board of Auditors in the management of financial and human resources by the Office of the United Nations High Commissioner for Refugees, urges the High Commissioner to continue to implement the Board's recommendations, and requests him to report regularly to the relevant governing bodies on progress made in that regard;

5. *Notes* the efforts of the United Nations High Commissioner for Refugees in implementing the recommendations of the Board of Auditors;

6. *Notes with concern* the further depletion of the reserves of the Office of the United Nations High Commissioner for Refugees, and requests the High Commissioner to examine the causes of continued operating deficits with a view to ensuring that the Office usually operates within its income for each financial year;

7. *Requests* the Secretary-General to report to the General Assembly on the full extent of unfunded staff termination and post-service liabilities in the United Nations and its funds and programmes and to propose measures that would ensure progress towards fully funding such liabilities;

8. *Takes note* of the second report of the Secretary-General on the implementation of the recommendations of the Board of Auditors on the accounts of the United Nations[13] and on the accounts of the United Nations funds and programmes[14] for the biennium ended 31 December 2001 and the report of the Board of Auditors on the implementation of its recommendations;[12]

9. *Notes with appreciation* the recommendation to consolidate the reports of the Secretary-General on the accounts of the United Nations and its funds and programmes in a single report;[17]

10. *Requests* the Secretary-General to continue to include in the consolidated report the status of implementation of the recommendations of the Board of Auditors and to clarify the recommendations that were partially implemented and those that were not implemented;

11. *Requests* the audited organizations to take all steps necessary to implement fully and expeditiously the outstanding audit recommendations.

RESOLUTION 58/250

Adopted at the 79th plenary meeting, on 23 December 2003, without a vote, on the recommendation of the Committee (A/58/575, para. 6)[18]

58/250. Pattern of conferences

The General Assembly,

Recalling its relevant resolutions, including resolutions 40/243 of 18 December 1985, 41/213 of 19 December 1986, 43/222 A to E of 21 December 1988, 51/211 A to E of 18 December 1996, 52/214 of 22 December 1997, 53/208 A to E of 18 December 1998, 54/248 of 23 December 1999, 55/222 of 23 December 2000, 56/242 of 24 December 2001, 56/254 D of 27 March 2002, 56/262 of 15 February 2002, 56/287 of 27 June 2002, 57/283 A of 20 December 2002 and 57/283 B of 15 April 2003,

Reaffirming its resolution 42/207 C of 11 December 1987, in which it requested the Secretary-General to ensure the equal treatment of the official languages of the United Nations,

Also reaffirming the provisions relevant to conference services of its resolutions on multilingualism,

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[12] A/58/114, appendix.

[13] A/58/97.

[14] A/58/97/Add.1.

[15] A/58/384.

[16] See *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 5E* (A/58/5/Add.5), chap. II.

[17] A/58/114, appendix, para. 7.

[18] The draft resolution recommended in the report was submitted by the Vice-Chairman of the Committee.

Having considered the report of the Committee on Conferences[19] and the relevant reports of the Secretary-General,[20]

Having also considered the first report of the Advisory Committee on Administrative and Budgetary Questions on the proposed programme budget for the biennium 2004–2005,[21] in particular paragraph I.84 thereof, and the second report of the Advisory Committee,[22]

I

Calendar of conferences and meetings

1. *Notes with appreciation* the work of the Committee on Conferences;

2. *Approves* the draft biennial calendar of conferences and meetings of the United Nations for 2004–2005, as submitted by the Committee on Conferences,[23] taking into account the observations of the Committee, and subject to the provisions of the present resolution;

3. *Authorizes* the Committee on Conferences to make any adjustments to the calendar of conferences and meetings for 2004–2005 that may become necessary as a result of actions and decisions taken by the General Assembly at its fifty-eighth session;

4. *Notes with satisfaction* that the Secretariat has taken into account the arrangements referred to in General Assembly resolutions 53/208 A, 54/248, 55/222, 56/242 and 57/283 B concerning Orthodox Good Friday and the official holidays of Id al-Fitr and Id al-Adha, and requests all intergovernmental bodies to continue to observe those decisions when planning their meetings;

II

A. Utilization of conference-servicing resources and facilities

1. *Notes* the improvements in the utilization of the conference centre at the Economic Commission for Africa in response to section II.A, paragraph 21, of its resolution 57/283 B, and requests the Secretary-General to continue to explore all possible options to increase further the utilization of the conference centre;

2. *Requests* the Committee on Conferences to consult with those bodies that have consistently utilized less than the applicable benchmark figure of their allocated resources of the past three sessions, with a view to making appropriate recommendations in order to achieve the optimum utilization of conference-servicing resources, and urges the secretariats and bureaux of bodies that underutilize their conference-servicing resources to work more closely with the Department for General Assembly and Conference Management of the Secretariat and to consider changes to their programme of work, as appropriate, including adjustments based on previous patterns for recurring agenda items, with a view to making improvements in their underutilization factors;

3. *Welcomes* the efforts that are being made to improve utilization of conference facilities at the United Nations Office at Nairobi, as set out in the report of the Secretary-General;[24]

4. *Recalls* its several resolutions, including resolution 57/283 B, section II.A, paragraph 9, and reaffirms that all meetings of Nairobi-based United Nations bodies shall take place in Nairobi, except as otherwise authorized by the General Assembly or the Committee on Conferences acting on its behalf;

5. *Reiterates its encouragement* to the Secretary-General to continue to intensify the efforts being made by the United Nations Office at Nairobi to attract more meetings to its facilities;

6. *Strongly discourages* any invitation to host meetings which would violate the headquarters rule, in particular for the United Nations Office at Nairobi and other United Nations centres with a low utilization level;

7. *Emphasizes* that all duty stations shall be given adequate resources for the effective and efficient discharge of their respective mandates;

8. *Reiterates its concern* over the delay in the process of filling the remaining vacancies in the interpretation and translation services at the United Nations Office at Nairobi and calls for the expeditious filling of the vacancies, and requests the Secretary-General to report thereon, through the Committee on Conferences, to the General Assembly at its fifty-ninth session;

9. *Regrets* the difficulties, including the delay, in fully staffing the Arabic Unit in the Interpretation Section at the United Nations Office at Nairobi and requests the Secretary-General to take adequate measures to ensure the filling of those posts without further delay, and to report thereon, through the Committee on Conferences, to the General Assembly at its fifty-ninth session;

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[19] *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 32* (A/58/32).

[20] A/58/194 and Corr.1 and 2, A/58/213, A/57/783 and A/57/809.

[21] *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 7* and corrigendum (A/58/7 and Corr.1).

[22] A/58/7/Add.1 and Corr.1. For the final text, see *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 7A*.

[23] *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 32* (A/58/32), annex II.

[24] A/57/809.

10. *Notes* the importance of meetings of regional and other major groupings of Member States for the smooth functioning of the sessions of intergovernmental bodies, and requests the Secretary-General to ensure that, as far as possible, all requests for conference services for meetings of regional and other major groupings of Member States are met;

11. *Notes with concern* that the rate of provision of interpretation services to the regional and other major groupings has declined;

12. *Notes with appreciation* that 100 per cent of requests by regional and other major groupings for conference facilities were met, according to the current methodology for recording statistics;

13. *Emphasizes* the importance of providing services of the highest quality to Member States in all duty stations and, in this regard, requests the Secretary-General to take appropriate measures in order to address current disparities in the quality of conference services between duty stations;

14. *Requests* the Secretary-General to continue to include in future reports the utilization rates of interpretation services and conference facilities at all duty stations;

15. *Notes* that the Secretary-General has submitted his report[25] pursuant to section II.A, paragraph 14, of its resolution 57/283 B, in which it reaffirmed its decision to include all necessary resources in the budget for the biennium 2004–2005 to provide interpretation services for meetings of regional and other major groupings of Member States upon request by those groups, on an ad hoc basis, in accordance with established practice;

B. Reform of the Department for General Assembly and Conference Management

1. *Reaffirms* that the Fifth Committee is the appropriate Main Committee of the General Assembly entrusted with responsibilities for administrative and budgetary matters;

2. *Welcomes* the initial steps taken by the Secretary-General in the implementation of the reform measures put forward in his report[26] in accordance with section II.B of its resolution 57/283 B, and encourages the continued implementation of the measures described in paragraph 52 of his report on the reform of the Department for General Assembly and Conference Management of the Secretariat,[27] subject to the provisions of the present resolution;

3. *Reiterates its request* contained in section II.B, paragraph 12, of its resolution 57/283 B;

4. *Stresses* that the reform of the Department should be aimed at improving the quality of documents and their timely production and delivery and the quality of conference services provided to Member States, with a view to meeting their needs as efficiently and effectively as possible and in accordance with the relevant resolutions of the General Assembly;

5. *Also stresses* that the reform of the Department should be aimed equally at increasing the productivity of the Department in delivering all services in accordance with relevant resolutions;

6. *Notes* that the reform will include a comprehensive study of the integrated global management, in accordance with section II.B, paragraph 8, of resolution 57/283 B, in consultation with the Office of Internal Oversight Services and with the full participation of all duty stations in a collaborative and consultative process, with a view to reaching conclusions that are both practical and comprehensive, and requests the Secretary-General to keep the General Assembly informed of the matter through the Committee on Conferences;

7. *Requests* the Secretary-General to develop further an effective measure to strengthen the responsibility and accountability system within the Secretariat, in order to ensure the timely submission of documents for processing, and to submit a comprehensive report thereon to the General Assembly at its fifty-ninth session, through the Committee on Conferences;

8. *Notes* the intention of the Secretary-General to establish a Secretariat task force, with broad participation, to conduct a comprehensive study of workload standards and performance measurement and to report thereon to the General Assembly at its fifty-ninth session, through the Committee on Conferences;

9. *Requests* the Secretary-General to conduct a thorough cost-benefit study of summary records and to review the list of bodies entitled to them, in full consultation with all relevant intergovernmental bodies, with a view to assessing the need for such records, and to explore the possibility of delivering them in a more efficient and effective manner, and to report thereon, through the Committee on Conferences, to the General Assembly at its fifty-ninth session;

10. *Also requests* the Secretary-General to ensure that the ongoing and planned work on workload standards and performance measurement specifically develops quantitative methods and indicators to assess productivity, efficiency and cost-effectiveness and to do so also for the quality of services, and to report thereon, through the Committee on Conferences, to the General Assembly at its fifty-ninth session;

11. *Further requests* the Secretary-General to ensure that the ongoing and planned work on workload standards and performance measurement specifically develops qualitative methods and indicators to assess productivity, efficiency and cost-effectiveness and to do so also for the quality of services,

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[25] A/58/397.

[26] A/57/289.

[27] A/58/213.

and to report thereon, through the Committee on Conferences, to the General Assembly at its fifty-ninth session;

12. *Recognizes* that the satisfaction of Member States is a key performance indicator in conference management and services, and requests the Secretary-General to continue to include a user-oriented approach towards performance management on a wider scope, to make proposals to the General Assembly on the incorporation of such an approach into the performance-management methods of the Department and to incorporate the results of such an approach, as well as the results of his own internal evaluation of the Department, into future proposals for the improvement of the operation of the Department;

III

Documentation- and publication-related matters

1. *Emphasizes* the importance of the equality of the six official languages of the United Nations;

2. *Reaffirms* section B of its resolution 52/214, and emphasizes that any reduction in the length of reports should affect neither the quality of presentation nor the content of the reports;

3. *Notes* that reports not originating from the Secretariat comprise the bulk of the documents issued,[28] and requests the Secretary-General to examine ways and means to achieve compliance with the relevant guideline on page limits and to report on the matter to the General Assembly through the Committee on Conferences;

4. *Also notes* the relative improvement in the timely issuance of documents for the fifty-eighth session;

5. *Notes with concern* that the six-week rule for issuance of documents is not fully complied with owing to, inter alia, the late submission of documents by author departments in violation of relevant rules, and requests the Secretary-General to take corrective measures so as to ensure strict compliance with the six-week rule for the timely issuance of documentation in view of the impact of their late issuance on the functioning of intergovernmental and expert bodies;

6. *Requests* the Secretary-General to ensure that the rules concerning simultaneous distribution of documents in all official languages are followed with respect to the posting of parliamentary documentation on the Official Document System and on the United Nations web site, in keeping with section III, paragraph 5, of General Assembly resolution 55/222;

7. *Notes with concern* paragraph 61 of the report of the Secretary-General,[29] reaffirms that there should be no exceptions to the rule that documents must be distributed in all official languages, and emphasizes the principle that all official documents must be distributed simultaneously in all official languages before they are made available on United Nations web sites;

8. *Reiterates its request* to the Secretary-General to ensure that documents are available in accordance with the six-week rule for their distribution simultaneously in the six official languages;

9. *Also reiterates its request* to the Secretary-General to ensure that translation, in principle, reflects the specificity of each language to the extent possible and that concordance in resolutions is achieved;

10. *Recalls* section III, paragraphs 25, 26 and 27, of resolution 57/283 B, expresses its concern that the report requested in paragraph 28 of the resolution was not submitted, urges the Secretary-General to provide Member States promptly with the outcome of the consultations referred to in this context, and decides to revert to this issue at its fifty-ninth session;

11. *Reiterates its request* to the Secretary-General to direct all departments to include the following elements in reports originating in the Secretariat:

(*a*) A summary of the report;

(*b*) Consolidated conclusions, recommendations and other proposed actions;

(*c*) Relevant background information;

12. *Encourages* intergovernmental and expert bodies to include the above-mentioned elements, where appropriate, in their reports to the General Assembly;

13. *Requests* that all documents submitted to legislative organs by the Secretariat, intergovernmental and expert bodies for consideration and action have conclusions and recommendations in bold print;

14. *Notes with concern* the delay in the issuance of verbatim and summary records and, in this regard, requests the Secretary-General to take appropriate measures to ameliorate the situation, with a view to issuing them in a timely fashion;

15. *Also notes with concern* the non-compliance with rule 59 of the rules of procedures of the General Assembly, and requests the Secretary-General to ensure the communication of resolutions adopted by the General Assembly to Member States within fifteen days after the closure of the session;

16. *Further notes with concern* the decrease in the percentage of documents available in Arabic issued by the Economic and Social Commission for Western Asia, and requests the Secretary-General to take immediate measures to ensure the 100 per cent issuance in Arabic of all the Commission's documents and publications in the biennium 2004–2005;

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[28] See A/57/228, paras. 79–86.

[29] A/58/194 and Corr.1 and 2.

17. *Reaffirms* section B of its resolution 52/214, and re-emphasizes that any reduction in the length of documents should not adversely affect either the quality of the presentation or the substance of the documents and that the reduction should be implemented in a flexible manner with respect to the consolidated reports;

IV

Translation- and interpretation-related matters

1. *Notes with concern* the high rate of self-revision in some of the official languages, as well as the translation problems in some languages;

2. *Requests* the Secretary-General, in updating the workload standards, to address the question of the appropriate level of self-revision that is consistent with quality in all official languages;

3. *Reiterates its request* to the Secretary-General contained in section IV, paragraph 1, of its resolution 55/222;

V

Information technology

1. *Emphasizes* that the primary goal of the introduction of new technology should be to enhance the quality, production, cost-effectiveness and efficiency of conference services, in accordance with legislative mandates;

2. *Notes* the relative progress achieved thus far across duty stations in integrating information technology into management and documentation-processing systems;

3. *Also notes* the particular situation of the United Nations Office at Nairobi, urges the Secretary-General to take steps to ensure that modern conference management and documentation practices, systems and technology are shared across all duty stations in an institutionalized manner and requests the Secretary-General to report thereon, through the Committee on Conferences, to the General Assembly at its fifty-ninth session;

VI

1. *Requests* the Secretary-General to submit a consolidated report on all actions mandated in the present resolution to the Committee on Conferences at its next session;

2. *Recalls* the need to consider biennialization and triennialization of the agenda items of the Fifth Committee, in accordance with the guidelines on the rationalization of the agenda of the General Assembly outlined in paragraph 5 (*c*) of annex I to its resolution 48/264 of 29 July 1994 and in its resolution 58/126 of 19 December 2003 on the revitalization of the work of the General Assembly;

3. *Requests* the Secretary-General, in the context of paragraph 2 above, to submit to the General Assembly at its fifty-ninth session, through the Committee on Conferences, proposals on the possibility of biennializing this item.

RESOLUTION 58/251

Adopted at the 79th plenary meeting, on 23 December 2003, without a vote, on the recommendation of the Committee (A/58/576, para. 8)[30]

58/251. United Nations common system

The General Assembly,

Having considered the report of the International Civil Service Commission for 2003[31] and the statement submitted by the Secretary-General on the administrative and financial implications of the decisions and recommendations contained in the report of the Commission,[32]

Reaffirming its commitment to a single, unified United Nations common system as the cornerstone for the regulation and coordination of the conditions of service of the United Nations common system,

Convinced that the common system constitutes the best instrument through which to secure staff with the highest standards of efficiency, competence and integrity for the international civil service, as stipulated in the Charter of the United Nations,

Reaffirming the statute of the Commission and its central role in the regulation and coordination of the conditions of service of the United Nations common system,

Takes note with appreciation of the work of the International Civil Service Commission, and takes note of its report for 2003;[31]

I

Conditions of service applicable to both categories of staff

A. Review of the pay and benefits system

Recalling its resolutions 51/216 of 18 December 1996, 52/216 of 22 December 1997, 53/209 of 18 December 1998, 55/223 of 23 December 2000 and 57/285 of 20 December 2002,

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[30] The draft resolution recommended in the report was submitted by the Vice-Chairman of the Committee.

[31] *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 30* (A/58/30).

[32] A/58/378.

1. *Takes note with appreciation* of the continuing progress being made by the Commission in the review of the pay and benefits system in the context of the approved framework for human resources management;

2. *Takes note* of the decisions of the Commission contained in paragraphs 35, 86 and 88 of its report;[31]

B. Contractual arrangements

Recalling section I.A, paragraph 4, of its resolution 57/285,

1. *Notes with appreciation* the collaborative process between the Commission and the organizations to develop a general framework for contractual arrangements within which organizations of the common system could operate;

2. *Takes note* of the decisions of the Commission contained in paragraphs 104 and 105 of its report;[31]

C. Mobility

Recalling section V of its resolution 55/258 of 14 June 2001 and section I.B of its resolution 57/285,

1. *Takes note* of the decision of the Commission contained in paragraph 125 of its report;[31]

2. *Takes note also* of the decision of the Commission contained in paragraph 126 of its report to review the current mobility and hardship scheme in the context of the pay and benefits review;

D. Hazard pay

Recalling section I.D of its resolution 57/285,

Recalls that hazard pay is a payment of a symbolic nature, and requests the Commission to reconsider and decide on a smaller increase in the level of hazard pay for local staff, taking into account the views expressed by Member States, and to report on the implementation of this request to the General Assembly at its fifty-ninth session;

E. Mission subsistence allowance/special operations approach

Takes note of the decision of the Commission contained in paragraph 154 of its report;[31]

II

Conditions of service of staff in the Professional and higher categories

A. Base/floor salary scale

Recalling section I.H of its resolution 44/198 of 21 December 1989, by which it established a floor net salary for staff in the Professional and higher categories with reference to the corresponding base net salary levels of officials in comparable positions serving at the base city of the comparator civil service,[33]

Approves the recommendation of the Commission contained in paragraph 188 of its report;[31]

B. Linkage between the mobility and hardship allowance and the base/floor salary scale

Recalling its resolutions 44/198, 46/191 A of 20 December 1991, 51/216, 55/223 and 57/285,

Looks forward to receiving, at its fifty-ninth session, the reports of the Commission on its review of the mobility and hardship scheme and on the linkage between the mobility and hardship allowance and the base/floor salary scale;

III

Conditions of service of the General Service and other locally recruited categories: methodologies for surveys of best prevailing conditions of employment at Headquarters and non-Headquarters duty stations

Recalling section III, paragraph 1, of its resolution 47/216 of 23 December 1992,

Endorses the decisions of the Commission and the refinements and modifications of the methodologies contained in paragraphs 230, 265 to 269, 279, 288, 302, 311, 312, 326, 354 and 355 of its report.[31]

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[33] See the annex to the present resolution.

Annex

Comparison of average net remuneration of United Nations officials in the Professional and higher categories in New York and United States officials in Washington, D.C., by equivalent grades (margin for calendar year 2003)

	Net remuneration (United States dollars)				
Grade	*United Nations*[a]	*United States*	*United Nations/ United States ratio (United States, Washington, D.C. = 100)*	*United Nations/ United States ratio adjusted for cost-of-living differential*	*Weights for calculation of overall ratio*[b]
P-1	58 761	42 420	138.5	120.3	0.2
P-2	73 087	55 169	132.5	115.1	5.3
P-3	89 112	67 748	131.5	114.2	20.9
P-4	106 863	84 642	126.3	109.7	32.1
P-5	125 124	99 430	125.8	109.3	27.5
D-1	144 874	114 817	126.2	109.6	10.4
D-2	151 732	118 923	127.6	110.9	3.7

Weighted average ratio before adjustment for New York/Washington, D.C., cost-of-living differential	127.6
New York/Washington, D.C., cost-of-living ratio	115.1
Weighted average ratio, adjusted for cost-of-living difference	110.9

[a] For the calculation of the average United Nations salaries, personnel statistics of the United Nations System Chief Executives Board for Coordination as at 31 December 2000 were used.

[b] These weights correspond to the United Nations common system staff in grades P-1 to D-2 serving at Headquarters and established offices as at 31 December 2000.

RESOLUTION 58/252

Adopted at the 79th plenary meeting, on 23 December 2003, without a vote, on the recommendation of the Committee (A/58/579, para. 7)[34]

58/252. Second performance report for the biennium 2002–2003 on the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994

The General Assembly,

Having considered the second performance report of the Secretary-General for the biennium 2002–2003 on the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994[35] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[36]

Recalling its resolution 49/251 of 20 July 1995 on the financing of the International Tribunal for Rwanda and its subsequent resolutions thereon, the latest of which were resolutions 56/248 A of 24 December 2001, 56/248 B of 27 March 2002 and 57/289 of 20 December 2002,

1. *Takes note* of the second performance report of the Secretary-General for the biennium 2002–2003 on the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994[35] and the related report of the Advisory Committee on Administrative and Budgetary Questions;[36]

2. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions;[36]

3. *Notes with concern* the late issuance of the second performance report of the Secretary-General for the biennium 2002–2003, bearing in mind the nature of the report and the period covered therein;

4. *Resolves* that, for the biennium 2002–2003, the amount of 203,962,600 United States dollars gross (182,870,700 dollars net) approved in its resolution 57/289 of 20 December 2002 for the budget of the International Tribunal for Rwanda, shall be adjusted by the amount of 4,517,100 dollars gross (4,392,200 dollars net) for a total amount of 208,479,700 dollars gross (187,262,900 dollars net).

RESOLUTION 58/253

Adopted at the 79th plenary meeting, on 23 December 2003, without a vote, on the recommendation of the Committee (A/58/579, para. 7)[37]

58/253. Financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994

The General Assembly,

Having considered the documents submitted by the Secretary-General on the financing for the biennium 2004–2005 of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994[38] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[39]

Recalling its resolution 49/251 of 20 July 1995, on the financing of the International Tribunal for Rwanda, and its subsequent resolutions thereon, the latest of which were resolutions 56/248 A of 24 December 2001, 56/248 B of 27 March 2002 and 57/289 of 20 December 2002,

Recalling also Security Council resolution 1503 (2003) of 28 August 2003 concerning the creation of a new position of Prosecutor of the International Tribunal for Rwanda,

Recalling further Security Council resolution 1512 (2003) of 27 October 2003 concerning the authorization for the use of up to nine additional ad litem judges in the International Tribunal for Rwanda,

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[34] The draft resolution recommended in the report was submitted by the Chairman of the Committee.

[35] A/58/597.

[36] See A/58/605.

[37] The draft resolution recommended in the report was submitted by the Chairman of the Committee.

[38] A/58/269, A/58/366, A/58/368, A/58/550 and A/58/367.

[39] A/58/554.

Welcoming the developments and improvements in the management and the activities of the Tribunal thus far achieved during the biennium 2002–2003,

1. *Takes note* of the documents submitted by the Secretary-General on the financing for the biennium 2004–2005 of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994[38] and the related report of the Advisory Committee on Administrative and Budgetary Questions;[39]

2. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions, subject to the provisions of the present resolution;

3. *Notes with concern* the levels of unpaid assessed contributions, and urges Member States to pay their assessed contributions on time, in full and without conditions;

4. *Welcomes* the efforts of the Secretary-General to present the proposed budget for the biennium 2004–2005 in a results-based format, and encourages him to make further progress in this regard;

5. *Requests* the Secretary-General to ensure that the report requested in paragraph 2 of General Assembly resolution 55/226 of 23 December 2000, as well as the views of the Board of Auditors thereon, is submitted to the Assembly during the main part of its fifty-ninth session;

6. *Welcomes* the appointment of a Prosecutor and the authorization for the use of up to nine ad litem judges, as approved by the Security Council in its resolutions 1503 (2003) and 1512 (2003), and stresses the importance of ensuring that the Tribunal receives adequate financial and human resources to support its strengthened judicial capacity and to enable it to meet the targets set out in its completion strategy;

7. *Welcomes also* the efforts made by the Tribunal to enhance coordination between the Chambers, the Office of the Prosecutor and the relevant sections of the Registry, through the establishment of the various management committees;

8. *Requests* the Tribunal to continue to enhance its engagement with the defence counsel establishment in the facilitation of trial work;

9. *Welcomes* the development of the completion strategy, and invites the Tribunal to revise the strategy, where appropriate, to take into account the provisions of Security Council resolutions 1503 (2003) and 1512 (2003) and the resultant increased judicial capacity of the Tribunal;

10. *Requests* the Secretary-General to develop further the link between the Tribunal's completion strategy and objectives and the resources requested in future budget proposals;

11. *Concurs* with the view of the Advisory Committee on Administrative and Budgetary Questions that continued close collaboration between the International Tribunal for the Former Yugoslavia and the International Tribunal for Rwanda is essential, and urges the Secretary-General to take all necessary measures to ensure such collaboration;

12. *Notes with concern* that the vacancy rate at the International Tribunal for Rwanda remains high, while acknowledging that the level has been reduced during the biennium 2002–2003, and requests the Secretary-General to take the necessary measures, as a matter of priority, to reduce the vacancy rate during the biennium 2004–2005, including, if appropriate, through delegating authority to the Registrar for recruitment in the Professional category and considering extending the contracts of core staff for longer periods, consistent with the staff regulations and rules, and bearing in mind the targets set in the completion strategy;

13. *Requests* the Secretary-General to continue, where appropriate, to prioritize and deploy resources in support of the completion strategy and to report thereon in his first and second performance reports;

14. *Also requests* the Secretary-General to undertake efficiency measures to streamline the work of the Tribunal and to provide an assessment of the financial impact of those measures in future budget proposals;

15. *Invites* the Security Council to continue to monitor closely the progress made by the Tribunal towards completing its mandate, in accordance with the completion strategy;

16. *Also invites* the Security Council to request the Secretary-General to make initial preparations, including establishing the rules of procedure, for the transfer of cases to national jurisdictions;

17. *Requests* the Secretary-General to report to the General Assembly at its fifty-ninth session on proposals for the resources necessary to aid in the transfer of cases to national jurisdictions;

18. *Decides* to maintain the current level of funding for consultants and experts;

19. *Also decides* to approve the proposed post and non-post resources for the Investigations Division for 2004 and to defer consideration of the resource requirements for the Investigations Division for 2005 until the fifty-ninth session of the General Assembly;

20. *Requests* the Secretary-General to resubmit, in his first performance report for the biennium 2004–2005, proposals for the resource requirements for the Investigations Division for

2005 and to ensure that the proposals are adequate for the effective implementation of the completion strategy;

21. *Also requests* the Secretary-General to review the outreach programme of the Tribunal and to report to the General Assembly during the main part of its fifty-ninth session on optimal media for the dissemination of information on the work of the Tribunal and on the resources allocated to this function, and on how future outreach initiatives and coordination with other parts of the United Nations system support the completion strategy and contribute to the reconciliation process in Rwanda;

22. *Further requests* the Secretary-General to report on oversight functions in the Tribunal in his first performance report for the biennium 2004–2005, with specific reference to oversight of resources allocated for the upgrading of prison facilities to international standards;

23. *Requests* the Secretary-General to pursue the possibility of assistance to the Tribunal from the United Nations Office at Nairobi and other offices of the United Nations system to increase remote translation capabilities and to report on cost comparisons in his first performance report;

24. *Welcomes* the comprehensive report of the Secretary-General on the progress made by the Tribunal in reforming its legal aid system;[40]

25. *Requests* the Secretary-General to continue to reform the legal aid system, taking into account the recommendations contained in the comprehensive report or other reforms deemed more appropriate by the Tribunal, as a top priority, and to report on the implementation and consequent savings in defence costs in his performance report for the biennium 2004–2005;

26. *Decides* that a vacancy rate of 18.2 per cent for Professional staff and 9.7 per cent for General Service staff shall be used as a basis for the calculation of the budget for the biennium 2004–2005;

27. *Recalls* paragraph 3 of its resolution 57/289, in which it urged the Secretary-General to request the Office of Internal Oversight Services to conduct a management review of the Office of the former Prosecutor, and requests the Secretary-General to submit the report on the matter to the General Assembly no later than at its resumed fifty-eighth session;

28. *Decides* to appropriate to the Special Account for the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994 the total amount of 235,324,200 United States dollars for the biennium 2004–2005, as detailed in the annex to the present resolution;

29. *Decides also* that the total assessment for 2004 under the Special Account, amounting to 122,179,200 dollars, shall consist of:

(*a*) 117,662,100 dollars, being half of the estimated appropriation approved for the biennium 2004–2005;

(*b*) 4,517,100 dollars, being the increase in the final appropriation for the biennium 2002–2003 approved by the General Assembly in its resolution 58/252 of 23 December 2003;

30. *Decides further* to apportion the amount of 61,089,600 dollars, being half of the total assessment for 2004, among Member States in accordance with the rates of assessment applicable to the regular budget of the United Nations for 2004, as set out in its resolution 58/1 B of 23 December 2003;

31. *Decides* to apportion the amount of 61,089,600 dollars, being half of the total assessment for 2004, among Member States in accordance with the rates of assessment applicable to peacekeeping operations for 2004;

32. *Decides also* that, in accordance with the provisions of its resolution 973 (X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraphs 30 and 31 above, the amount of 11,149,250 dollars, consisting of:

(*a*) 11,024,350 dollars, being half of the estimated staff assessment income approved for the Tribunal for the biennium 2004–2005;

(*b*) 124,900 dollars, being the increase in staff assessment income for the biennium 2002–2003 approved by the General Assembly in its resolution 58/252 of 23 December 2003.

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[40] A/58/366.

Annex

Financing for the biennium 2004–2005 of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994

	Gross	*Net*
	(United States dollars)	
1. Estimated appropriation for the biennium 2004–2005	251 388 400	227 469 200
2. Recommendations of the Advisory Committee on Administrative and Budgetary Questions	–	–
3. Recommendations of the Fifth Committee	(16 064 200)	(14 193 700)
4. Revised estimated appropriation for the biennium 2004–2005	235 324 200	213 275 500
5. Estimated income for the biennium 2004–2005	–	–
6. Total assessment for 2004,[a] comprising:	**122 179 200**	**111 029 950**
(*a*) Requirements representing half of the estimated appropriation for the biennium 2004–2005	117 662 100	106 637 750
(*b*) Requirements arising from the final appropriation for the biennium 2002–2003	4 517 100	4 392 200
Including:		
Contributions assessed on Member States in accordance with the rates of assessment applicable to the regular budget of the United Nations for 2004	61 089 600	55 514 975
Contributions assessed on Member States in accordance with the rates of assessment applicable to peacekeeping operations of the United Nations for 2004	61 089 600	55 514 975

[a] For 2005, the relevant amount will be assessed by the General Assembly at its fifty-ninth session.

RESOLUTION 58/254

Adopted at the 79th plenary meeting, on 23 December 2003, without a vote, on the recommendation of the Committee (A/58/580, para. 7)[41]

58/254. Second performance report for the biennium 2002–2003 on the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

The General Assembly,

Having considered the second performance report of the Secretary-General for the biennium 2002–2003 on the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991[42] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[43]

Recalling its resolution 47/235 of 14 September 1993 on the financing of the International Tribunal for the Former Yugoslavia and its subsequent resolutions thereon, the latest of which were resolutions 56/247 A of 24 December 2001, 56/247 B of 27 March 2002 and 57/288 of 20 December 2002,

1. *Takes note* of the second performance report of the Secretary-General for the biennium 2002–2003 on the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991[42] and the related report of the Advisory Committee on Administrative and Budgetary Questions;[43]

2. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions;[43]

3. *Notes with concern* the late issuance of the second performance report of the Secretary-General for the biennium 2002–2003, bearing in mind the nature of the report and the period covered therein;

4. *Resolves* that, for the biennium 2002–2003, the amount of 262,653,700 United States dollars gross (235,955,000 dollars net) approved in its resolution 57/288 of 20 December 2002 for the budget of the International Tribunal for the Former Yugoslavia shall be adjusted by the amount of 25,668,500 dollars gross (18,803,200 dollars net) for a total amount of 288,322,200 dollars gross (254,603,800 dollars net).

RESOLUTION 58/255

Adopted at the 79th plenary meeting, on 23 December 2003, without a vote, on the recommendation of the Committee (A/58/580, para. 7)[44]

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[41] The draft resolution recommended in the report was submitted by the Chairman of the Committee.

[42] A/58/593.

[43] See A/58/605.

[44] The draft resolution recommended in the report was submitted by the Chairman of the Committee.

58/255. Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

The General Assembly,

Having considered the reports of the Secretary-General on the financing for the biennium 2004–2005 of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991[45] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[46]

Recalling its resolution 47/235 of 14 September 1993 on the financing of the International Tribunal for the Former Yugoslavia and its subsequent resolutions thereon, the latest of which were resolutions 56/247 B of 27 March 2002 and 57/288 of 20 December 2002,

Recalling also Security Council resolution 1503 (2003) of 28 August 2003 concerning the creation of a new position of Prosecutor of the International Tribunal for Rwanda,

Welcoming the developments and improvements in the management and the activities of the International Tribunal for the Former Yugoslavia thus far achieved during the biennium 2002–2003,

1. *Takes note* of the reports of the Secretary-General on the financing for the biennium 2004–2005 of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991[45] and the related report of the Advisory Committee on Administrative and Budgetary Questions;[46]

2. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee,[46] subject to the provisions of the present resolution;

3. *Notes with concern* the levels of unpaid assessed contributions, and urges Member States to pay their assessed contributions on time, in full and without conditions;

4. *Concurs* with the view of the Advisory Committee that continued close collaboration between the International Tribunal for the Former Yugoslavia and the International Tribunal for Rwanda is essential, and urges the Secretary-General to take all necessary measures to ensure this;

5. *Decides* not to endorse the recommendation contained in paragraph 38 of the report of the Advisory Committee;[46]

6. *Encourages* Member States to consider paying their assessments in euros, consistent with regulation 3.9 and rule 103.3 of the Financial Regulations and Rules of the United Nations;[47]

7. *Requests* the Secretary-General to ensure that the report requested by the General Assembly in paragraph 2 of its resolution 55/225 A of 23 December 2000, including the views of the Board of Auditors thereon, is submitted to the Assembly at the main part of its fifty-ninth session;

8. *Welcomes* the efforts of the Secretary-General to present the proposed programme budget for the biennium 2004–2005 in a results-based budgeting format, and encourages the Secretary-General to make further progress in this regard;

9. *Invites* the Security Council to continue to monitor closely the progress made by the Tribunal towards completing its mandate, in accordance with the completion strategy;

10. *Requests* the Secretary-General to develop further the link between the Tribunal's completion strategy and objectives and the resources requested in future budget proposals;

11. *Also requests* the Secretary-General to continue, where appropriate, to prioritize and deploy resources in support of the completion strategy and to report thereon in the context of his first and second performance reports for the biennium 2004–2005;

12. *Further requests* the Secretary-General to undertake efficiency measures to streamline the work of the Tribunal and to provide an assessment of the financial impact of those measures in the context of future budget proposals;

13. *Encourages* the Tribunal to continue to implement and closely monitor reforms to its legal aid system, and requests the Secretary-General to report thereon, in particular on consequent savings in defence costs, in his first performance report for the biennium 2004–2005;

14. *Recalls* paragraph 25 of its resolution 58/253 of 23 December 2003, and requests the Secretary-General to include, where appropriate, the International Tribunal for the Former Yugoslavia in the scope of his consideration and recommendations referred to in paragraphs 38 and 39 of his comprehensive report on the progress made by the International Tribunal for Rwanda in reforming its legal aid system;[48]

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[45] A/58/226, A/58/288 and A/58/368.

[46] A/58/449.

[47] ST/SGB/2003/7.

[48] A/58/366.

15. *Decides* that vacancy rates of 10.2 per cent for Professional staff and 7.3 per cent for General Service staff shall be used as a basis for the calculation of the budget for the biennium 2004–2005;

16. *Decides also* not to approve the proposed increase in resources for consultants and experts;

17. *Decides further* to approve the proposed post and non-post resources for the Investigations Division for 2004 and to defer consideration of the resource requirements for the Division for 2005 until its fifty-ninth session;

18. *Requests* the Secretary-General to resubmit, in the context of his first performance report for the biennium 2004–2005, a proposal for the resource requirements for the Investigations Division for 2005, and to ensure that the proposal is adequate for the effective implementation of the completion strategy;

19. *Endorses* the conclusions and recommendations of the Advisory Committee contained in paragraph 28 of its report;[46]

20. *Concurs* with the Advisory Committee that the volume of work and the pace of completion should be monitored continuously in order to determine whether some of the posts identified for abolition or redeployment could be abolished or released for transfer to other areas of the Tribunal before the second half of 2005;

21. *Decides* to reduce the appropriation for contractual services to the level proposed in the second performance report of the Secretary-General on the programme budget for the biennium 2002–2003[49] as the proposed final appropriation, before recosting, given the savings achieved in respect of defence counsel during the biennium;

22. *Decides also* to reduce the proposed resources for travel of Registry staff by 200,000 United States dollars;

23. *Decides further* to appropriate to the Special Account for the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 the total amount of 298,226,300 dollars for the biennium 2004–2005, as detailed in the annex to the present resolution;

24. *Decides* that the financing of the appropriation for the biennium 2004–2005 under the Special Account shall take into account the estimated income of 184,000 dollars for the biennium 2004–2005, which shall be set off against the aggregate amount of the appropriation;

25. *Decides also* that the total assessment for 2004 under the Special Account, amounting to 174,689,650 dollars, shall consist of:

(*a*) 149,021,150 dollars, being half of the estimated appropriation approved for the biennium 2004–2005;

(*b*) 25,668,500 dollars, being the increase in the final appropriation for the biennium 2002–2003 approved by the General Assembly in its resolution 58/254 of 23 December 2003;

26. *Decides further* to apportion the amount of 87,344,825 dollars, being half of the total assessment for 2004, among Member States in accordance with the scale of assessments applicable to the regular budget of the United Nations for 2004, as set out in its resolution 58/1 B of 23 December 2003;

27. *Decides* to apportion the amount of 87,344,825 dollars, being half of the total assessment for 2004, among Member States in accordance with the rates of assessment applicable to peacekeeping operations for 2004;

28. *Decides also* that, in accordance with the provisions of its resolution 973 (X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraphs 26 and 27 above, the amount of 20,051,150 dollars, consisting of:

(*a*) 13,185,850 dollars, being half of the estimated staff assessment income approved for the Tribunal for the biennium 2004–2005;

(*b*) 6,865,300 dollars, being the increase in staff assessment income for the biennium 2002–2003 approved by the General Assembly in its resolution 58/254.

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[49] A/58/593.

Annex

Financing for the biennium 2004–2005 of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

	Gross	Net
	(United States dollars)	
1. Estimated appropriation for the biennium 2004–2005	327 323 000	296 955 800
2. Recommendations of the Advisory Committee on Administrative and Budgetary Questions	(20 000 000)[a]	(19 948 800)[a]
3. Recommendations of the Fifth Committee	(9 096 700)	(5 152 400)
4. Revised estimated appropriation for the biennium 2004–2005	298 226 300	271 854 600
Less:		
5. Estimated income for the biennium 2004–2005	(184 000)	(184 000)
6. Total assessment for 2004,[b] comprising:	**174 689 650**	**154 638 500**
(*a*) Requirements representing half of the estimated appropriation for the biennium 2004–2005	149 021 150	135 835 300
(*b*) Requirements arising from the final appropriation for the biennium 2002–2003	25 668 500	18 803 200
Including:		
7. Contributions assessed on Member States in accordance with the scale of assessments applicable to the regular budget of the United Nations for 2004	87 344 825	77 319 250
8. Contributions assessed on Member States in accordance with the rates of assessment applicable to peacekeeping operations of the United Nations for 2004	87 344 825	77 319 250

[a] The recommendations of the Advisory Committee were not fully endorsed (see paras. 5 and 19 of the resolution). This has been taken into account in formulating line 3 above.

[b] For 2005, the relevant amount will be assessed by the General Assembly at its fifty-ninth session.

RESOLUTION 58/256

Adopted at the 79th plenary meeting, on 23 December 2003, without a vote, on the recommendation of the Committee (A/58/581, para. 6)[50]

58/256. Scale of assessments for the apportionment of the expenses of United Nations peacekeeping operations

The General Assembly,

Recalling its resolutions 55/235 and 55/236 of 23 December 2000,

Recalling also its request to the Secretary-General in its resolution 55/235 to update the composition of the levels of contribution of Member States for peacekeeping operations described therein on a triennial basis, in conjunction with the regular budget scale of assessment reviews, in accordance with the criteria established in the resolution, and to report thereon to the General Assembly,

Having considered the report of the Secretary-General on the implementation of its resolutions 55/235 and 55/236,[51]

1. *Takes note* of the report of the Secretary-General[51] and of the updated composition of levels of contribution for peacekeeping operations for the period 2004 to 2006 contained therein;

2. *Endorses* the updated composition of levels of contribution for peacekeeping operations for the period 2004 to 2006 contained in the addendum to the report of the Secretary-General;[52]

3. *Requests* the Secretary-General to report to the General Assembly at its sixty-first session on the updating of the composition of levels of contribution for peacekeeping operations for the period 2007 to 2009, in accordance with the provisions of resolution 55/235.

RESOLUTION 58/257

Adopted at the 79th plenary meeting, on 23 December 2003, without a vote, on the recommendation of the Committee (A/58/582, para. 12)[53]

58/257. Report of the Joint Inspection Unit on reforming the Field Service category of personnel in United Nations peace operations

The General Assembly,

Having considered the report of the Joint Inspection Unit on reforming the Field Service category of personnel in United

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[50] The draft resolution recommended in the report was submitted by the Chairman of the Committee.

[51] A/58/157 and Add.1.

[52] A/58/157/Add.1, annex.

[53] The draft resolution recommended in the report was submitted by the Chairman of the Committee.

Nations peace operations[54] and the note by the Secretary-General transmitting his comments thereon,[55]

Having also considered the report of the Advisory Committee on Administrative and Budgetary Questions,[56]

1. *Takes note* of the report of the Joint Inspection Unit on reforming the Field Service category of personnel in United Nations peace operations[54] and of the comments of the Secretary-General thereon;[55]

2. *Also takes note* of the related observations and recommendations made by the Advisory Committee on Administrative and Budgetary Questions;[56]

3. *Approves* recommendations 1 to 6 contained in the report of the Joint Inspection Unit.[54]

RESOLUTION 58/258

Adopted at the 79th plenary meeting, on 23 December 2003, without a vote, on the recommendation of the Committee (A/58/582, para. 12)[57]

58/258. Report of the Office of Internal Oversight Services on the audit of the establishment and management of mission subsistence allowance rates

The General Assembly,

Recalling its resolutions 48/218 B of 29 July 1994 and 54/244 of 23 December 1999,

Having considered the report of the Office of Internal Oversight Services on the audit of the establishment and management of mission subsistence allowance rates,[58]

1. *Takes note* of the report of the Office of Internal Oversight Services on the audit of the establishment and management of mission subsistence allowance rates;[58]

2. *Reaffirms* its resolution 56/246 of 24 December 2001, in particular paragraph 8;

3. *Requests* the Secretary-General to entrust the Office of Internal Oversight Services with the submission of an updated report on the question of mission subsistence allowance rates to the General Assembly at the second part of its resumed fifty-eighth session.

RESOLUTION 58/259

Adopted at the 79th plenary meeting, on 23 December 2003, without a vote, on the recommendation of the Committee (A/58/583, para. 6)[59]

58/259. Financing of the United Nations Organization Mission in the Democratic Republic of the Congo

The General Assembly,

Having considered the report of the Secretary-General on the financing of the United Nations Organization Mission in the Democratic Republic of the Congo[60] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[61]

Recalling Security Council resolutions 1258 (1999) of 6 August 1999 and 1279 (1999) of 30 November 1999, regarding, respectively, the deployment to the Congo region of military liaison personnel and the establishment of the United Nations Organization Mission in the Democratic Republic of the Congo, and the subsequent resolutions by which the Council extended the mandate of the Mission, the latest of which was resolution 1493 (2003) of 28 July 2003, by which the Council also authorized increasing the military strength of the Mission,

Recalling also its resolution 54/260 A of 7 April 2000, on the financing of the Mission, and its subsequent resolutions thereon, the latest of which was resolution 57/335 of 18 June 2003,

Reaffirming the general principles underlying the financing of United Nations peacekeeping operations, as stated in General Assembly resolutions 1874 (S-IV) of 27 June 1963, 3101 (XXVIII) of 11 December 1973 and 55/235 of 23 December 2000,

Noting with appreciation that voluntary contributions have been made to the Mission,

Mindful of the fact that it is essential to provide the Mission with the necessary financial resources to enable it to fulfil its responsibilities under the relevant resolutions of the Security Council,

1. *Takes note* of the status of contributions to the United Nations Organization Mission in the Democratic Republic of the Congo as at 31 October 2003, including the contributions outstanding in the amount of 139.7 million United States dollars, representing some 9.1 per cent of the total assessed contributions, notes with concern that only thirty-two Member States have paid their assessed contributions in full,

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[54] See A/57/78.

[55] A/57/78/Add.1.

[56] A/57/434, paras. 2–4.

[57] The draft resolution recommended in the report was submitted by the Chairman of the Committee.

[58] See A/56/648.

[59] The draft resolution recommended in the report was submitted by the Vice-Chairman of the Committee.

[60] A/58/381.

[61] A/58/447 and Corr.1.

and urges all other Member States, in particular those in arrears, to ensure payment of their outstanding assessed contributions;

2. *Expresses its appreciation* to those Member States which have paid their assessed contributions in full, and urges all other Member States to make every possible effort to ensure payment of their assessed contributions to the Mission in full;

3. *Expresses concern* at the financial situation with regard to peacekeeping activities, in particular as regards the reimbursements to troop contributors that bear additional burdens owing to overdue payments by Member States of their assessments;

4. *Also expresses concern* at the delay experienced by the Secretary-General in deploying some recent peacekeeping missions, in particular those in Africa, and in providing them with adequate resources;

5. *Emphasizes* that all future and existing peacekeeping missions shall be given equal and non-discriminatory treatment in respect of financial and administrative arrangements;

6. *Also emphasizes* that all peacekeeping missions shall be provided with adequate resources for the effective and efficient discharge of their respective mandates;

7. *Reiterates its request* to the Secretary-General to make the fullest possible use of facilities and equipment at the United Nations Logistics Base at Brindisi, Italy, in order to minimize the costs of procurement for the Mission;

8. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions,[61] and requests the Secretary-General to ensure their full implementation;

9. *Requests* the Secretary-General to take all necessary action to ensure that the Mission is administered with a maximum of efficiency and economy, particularly with regard to air transport;

10. *Also requests* the Secretary-General, in order to reduce the cost of employing General Service staff, to continue efforts to recruit local staff for the Mission against General Service posts, commensurate with the requirements of the Mission;

Budget estimates for the period from 1 July 2003 to 30 June 2004

11. *Decides* to appropriate to the Special Account for the United Nations Organization Mission in the Democratic Republic of the Congo the amount of 59,038,300 dollars for the maintenance of the Mission for the period from 1 July 2003 to 30 June 2004, in addition to the amount of 582 million dollars already appropriated and apportioned for the same period under the terms of its resolution 57/335;

12. *Emphasizes* that no peacekeeping mission shall be financed by borrowing funds from other active peacekeeping missions;

13. *Encourages* the Secretary-General to continue to take additional measures to ensure the safety and security of all personnel under the auspices of the United Nations participating in the Mission;

14. *Invites* voluntary contributions to the Mission in cash and in the form of services and supplies acceptable to the Secretary-General, to be administered, as appropriate, in accordance with the procedure and practices established by the General Assembly;

15. *Decides* to keep under review during its fifty-eighth session the item entitled "Financing of the United Nations Organization Mission in the Democratic Republic of the Congo".

RESOLUTION 58/260

Adopted at the 79th plenary meeting, on 23 December 2003, without a vote, on the recommendation of the Committee (A/58/584, para. 6)[62]

58/260. Financing of the United Nations Mission of Support in East Timor

The General Assembly,

Having considered the reports of the Secretary-General on the financing of the United Nations Mission of Support in East Timor,[63] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[64]

Recalling Security Council resolution 1272 (1999) of 25 October 1999 regarding the establishment of the United Nations Transitional Administration in East Timor and the subsequent resolutions by which the Council extended the mandate of the Transitional Administration, the last of which was resolution 1392 (2002) of 31 January 2002, by which the mandate was extended until 20 May 2002,

Recalling also Security Council resolution 1410 (2002) of 17 May 2002, by which the Council established the United Nations Mission of Support in East Timor as of 20 May 2002 for an initial period of twelve months, and its subsequent resolution 1480 (2003) of 19 May 2003, by which the Council extended the mandate of the Mission until 20 May 2004,

Recalling further its resolution 54/246 A of 23 December 1999 on the financing of the United Nations Transitional

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[62] The draft resolution recommended in the report was submitted by the Rapporteur of the Committee.

[63] A/58/192 and Add.1.

[64] A/58/409.

Administration in East Timor and its subsequent resolutions on the financing of the United Nations Mission of Support in East Timor, the latest of which was resolution 57/327 of 18 June 2003,

Reaffirming the general principles underlying the financing of United Nations peacekeeping operations, as stated in General Assembly resolutions 1874 (S-IV) of 27 June 1963, 3101 (XXVIII) of 11 December 1973 and 55/235 of 23 December 2000,

Noting with appreciation that voluntary contributions have been made to the Mission and to the Trust Fund for the United Nations Transitional Administration in East Timor,

Mindful of the fact that it is essential to provide the Mission with the necessary financial resources to enable it to fulfil its responsibilities under the relevant resolutions of the Security Council,

1. *Takes note* of the status of contributions to the United Nations Transitional Administration in East Timor and the United Nations Mission of Support in East Timor as at 31 October 2003, including the contributions outstanding in the amount of 65.5 million United States dollars, representing some 4 per cent of the total assessed contributions, notes with concern that only forty-three Member States have paid their assessed contributions in full, and urges all other Member States, in particular those in arrears, to ensure payment of their outstanding assessed contributions;

2. *Expresses its appreciation* to those Member States which have paid their assessed contributions in full, and urges all other Member States to make every possible effort to ensure payment of their assessed contributions to the Transitional Administration and the Mission in full;

3. *Expresses concern* at the financial situation with regard to peacekeeping activities, in particular as regards the reimbursements to troop contributors that bear additional burdens owing to overdue payments by Member States of their assessments;

4. *Also expresses concern* at the delay experienced by the Secretary-General in deploying some recent peacekeeping missions, in particular those in Africa, and in providing them with adequate resources;

5. *Emphasizes* that all future and existing peacekeeping missions shall be given equal and non-discriminatory treatment in respect of financial and administrative arrangements;

6. *Also emphasizes* that all peacekeeping missions shall be provided with adequate resources for the effective and efficient discharge of their respective mandates;

7. *Reiterates its request* to the Secretary-General to make the fullest possible use of facilities and equipment at the United Nations Logistics Base at Brindisi, Italy, in order to minimize the costs of procurement for the Mission;

8. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions,[64] and requests the Secretary-General to ensure their full implementation;

Revised budget estimates for the period from 1 July 2003 to 30 June 2004

9. *Decides* to appropriate to the Special Account for the United Nations Mission of Support in East Timor the amount of 23,827,500 dollars for the maintenance of the Mission for the period from 1 July 2003 to 30 June 2004, in addition to the amount of 193,337,100 dollars already appropriated for the same period under the terms of resolution 57/327;

Financing of the appropriation

10. *Decides also*, taking into account the amount of 193,337,100 dollars previously apportioned under the terms of resolution 57/327, to apportion among Member States the amount of 23,827,500 dollars at a monthly rate of 1,985,625 dollars, in accordance with the levels set out in resolution 55/235, as adjusted by the General Assembly in its resolutions 55/236 of 23 December 2000 and 57/290 A of 20 December 2002, and taking into account the scale of assessments for 2003 as set out in its resolutions 55/5 B of 23 December 2000 and 57/4 B of 20 December 2002 and the scale of assessments for 2004 as set out in its resolution 58/1 B of 23 December 2003, subject to the decision of the Security Council to extend the mandate of the Mission;

11. *Decides further* that, in accordance with the provisions of its resolution 973 (X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraph 10 above, their respective share in the Tax Equalization Fund of the amount of 539,900 dollars at a monthly rate of 44,991 dollars, representing the additional estimated staff assessment income approved for the Mission;

Donation of assets to the Government of Timor-Leste

12. *Approves* the donation of the assets of the Mission, with a total inventory value of up to 35,262,900 dollars and corresponding residual value of up to 15,879,900 dollars, to the Government of Timor-Leste;

13. *Emphasizes* that no peacekeeping mission shall be financed by borrowing funds from other active peacekeeping missions;

14. *Encourages* the Secretary-General to continue to take additional measures to ensure the safety and security of all personnel under the auspices of the United Nations participating in the Mission;

15. *Invites* voluntary contributions to the Mission in cash and in the form of services and supplies acceptable to the

Secretary-General, to be administered, as appropriate, in accordance with the procedure and practices established by the General Assembly;

16. *Decides* to keep under review during its fifty-eighth session the item entitled "Financing of the United Nations Mission of Support [illegible] East Timor".

RESOLUTION 58/261

Adopted at the 79th plenary meeting, on 23 December 2003, without a vote, on the recommendation of the Committee (A/58/589, para. 6)[65]

58/261. Financing of the United Nations Mission in Liberia

The General Assembly,

Having considered the report of the Secretary-General on the financing of the United Nations Mission in Liberia[66] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[67]

Recalling Security Council resolution 1497 (2003) of 1 August 2003, by which the Council declared its readiness to establish a United Nations stabilization force to support the transitional government and to assist in the implementation of a comprehensive peace agreement for Liberia,

Recalling also Security Council resolution 1509 (2003) of 19 September 2003, by which the Council decided to establish the United Nations Mission in Liberia for a period of twelve months,

Reaffirming the general principles underlying the financing of United Nations peacekeeping operations, as stated in its resolutions 1874 (S-IV) of 27 June 1963, 3101 (XXVIII) of 11 December 1973 and 55/235 of 23 December 2000,

Noting with appreciation that voluntary contributions have been made to the Mission,

Mindful of the fact that it is essential to provide the Mission with the necessary financial resources to enable it to fulfil its responsibilities under the relevant resolution of the Security Council,

1. *Expresses concern* at the financial situation with regard to peacekeeping activities, in particular as regards the reimbursements to troop contributors that bear additional burdens owing to overdue payments by Member States of their assessments;

2. *Also expresses concern* at the delay experienced by the Secretary-General in deploying some recent peacekeeping missions, in particular those in Africa, and in providing them with adequate resources;

3. *Emphasizes* that all future and existing peacekeeping missions shall be given equal and non-discriminatory treatment in respect of financial and administrative arrangements;

4. *Also emphasizes* that all peacekeeping missions shall be provided with adequate resources for the effective and efficient discharge of their respective mandates;

5. *Requests* the Secretary-General to make the fullest possible use of facilities and equipment at the United Nations Logistics Base at Brindisi, Italy, in order to minimize the costs of procurement for the Mission;

6. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions,[67] and requests the Secretary-General to ensure their full implementation;

7. *Requests* the Secretary-General to take all necessary action to ensure that the Mission is administered with a maximum of efficiency and economy;

8. *Also requests* the Secretary-General, in order to reduce the cost of employing General Service staff, to make efforts to recruit local staff for the Mission against General Service posts, commensurate with the requirements of the Mission;

Budget estimates for the period from 1 August 2003 to 30 June 2004

9. *Authorizes* the Secretary-General to establish a special account for the United Nations Mission in Liberia for the purpose of accounting for income received and expenditure incurred in respect of the Mission;

10. *Decides* to appropriate to the Special Account for the United Nations Mission in Liberia the amount of 564,494,300 United States dollars for the period from 1 August 2003 to 30 June 2004, inclusive of the amount of 47,462,700 dollars previously authorized by the Advisory Committee on Administrative and Budgetary Questions for the operation of the Mission under the terms of section IV of General Assembly resolution 49/233 A of 23 December 1994 for the period from 1 August to 31 December 2003;

Financing of the appropriation

11. *Decides also* to apportion among Member States the amount of 450 million dollars at a monthly rate of 40,909,090 dollars, in accordance with the levels set out in resolution 55/235, as adjusted by the General Assembly in its resolutions 55/236 of 23 December 2000 and 57/290 A of 20 December 2002, and taking into account the scale of assessments for 2003 as set out in its resolutions 55/5 B of 23 December 2000 and 57/4 B of 20 December 2002 and the scale of assessments for 2004 as set out in its resolution 58/1 B of 23 December 2003;

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[65] The draft resolution recommended in the report was submitted by the Chairman of the Committee.

[66] A/58/539.

[67] A/58/591.

12. *Decides further* that, in accordance with the provisions of its resolution 973 (X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraph 11 above, their respective share in the Tax Equalization Fund of 5,210,000 dollars at a monthly rate of 473,636 dollars, representing the estimated staff assessment income approved for the Mission;

13. *Requests* the Secretary-General to pursue through collaboration between the United Nations Mission in Liberia, the United Nations Mission in Sierra Leone, and the United Nations Mission in Côte d'Ivoire, opportunities for optimizing, where possible, the provision and management of support resources and service delivery to the three missions;

14. *Emphasizes* that no peacekeeping mission shall be financed by borrowing funds from other active peacekeeping missions;

15. *Notes with appreciation* the utilization of the strategic deployment stocks to the Mission at the start-up stage;

16. *Encourages* the Secretary-General to take additional measures to ensure the safety and security of all personnel under the auspices of the United Nations participating in the Mission;

17. *Invites* voluntary contributions to the Mission in cash and in the form of services and supplies acceptable to the Secretary-General, to be administered, as appropriate, in accordance with the procedure and practices established by the General Assembly;

18. *Decides* to keep under review during its fifty-eighth session the item entitled "Financing of the United Nations Mission in Liberia".

RESOLUTION 58/262

Adopted at the 79th plenary meeting, on 23 December 2003, without a vote, on the recommendation of the Committee (A/58/590, para. 6)[68]

58/262. Admission of the International Criminal Court to membership in the United Nations Joint Staff Pension Fund

The General Assembly,

Having considered the note by the Secretary-General on the admission of the International Criminal Court to membership in the United Nations Joint Staff Pension Fund[69] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[70]

Decides to admit the International Criminal Court to membership in the United Nations Joint Staff Pension Fund, in accordance with article 3, paragraphs (*b*) and (*c*), of the Regulations of the Fund, with effect from 1 January 2004.

RESOLUTION 58/263

Adopted at the 79th plenary meeting, on 23 December 2003, without a vote, on the recommendation of the Committee (A/58/572, para. 19)[71]

58/263. Report of the Joint Inspection Unit on the revenue-producing activities of the United Nations system

The General Assembly,

Having considered the report of the Joint Inspection Unit on United Nations system revenue-producing activities[72] and the comments of the Secretary-General and the United Nations System Chief Executives Board for Coordination thereon,[73]

1. *Agrees* with the concepts expressed in paragraph (*a*) of recommendation 1 of the Joint Inspection Unit[72] concerning consolidation of the management of revenue-producing activities on the basis of sound business practices, bearing in mind the related legislative mandates, and awaits with interest the specific proposals of the Secretary-General;

2. *Takes note* of paragraph (*b*) of recommendation 1 of the Unit[72] and the related comments of the Secretary-General;[73]

3. *Endorses* recommendation 2 of the Unit;

4. *Notes* paragraph (*a*) of recommendation 3 of the Unit, and requests the Secretary-General to report to the General Assembly at the second part of its resumed fifty-eighth session on the possibility of operating guided tours, bookstores and gift shops at the United Nations Office at Nairobi and the cost implications thereof;

5. *Requests* the Secretary-General to explore the possibility of selling products of the gift centre and the book shop via the Internet, in addition to existing arrangements;

6. *Endorses* paragraphs (*b*) and (*c*) of recommendation 3 of the Unit, and agrees with the comments of the Secretary-General in connection with paragraph (*a*) of that recommendation;

7. *Recognizes* that in its recommendation 4 the Unit outlines some general factors that should be considered in connection with the outsourcing of revenue-generating activities in the framework of approved outsourcing policies;

8. *Agrees* with the comments of the Secretary-General in connection with recommendation 5, and looks forward to

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[68] The draft resolution recommended in the report was submitted by the Chairman of the Committee.

[69] A/C.5/58/13.

[70] A/58/545.

[71] The draft resolution recommended in the report was submitted by the Chairman of the Committee.

[72] See A/57/707.

[73] See A/57/707/Add.1.

further proposals of the Secretary-General concerning the United Nations Postal Administration consequent to its resolution 57/292 of 20 December 2002;

9. *Agrees also* that the competent legislative organs, when considering strengthening the policy frameworks for revenue-generating activities in their organizations, should consider drawing on the objectives set out by the Unit in its recommendation 6, bearing in mind the specificities of each organization and the comments of the United Nations System Chief Executives Board for Coordination with respect to the generation of income from intellectual property;

10. *Agrees further* with the comments of the Chief Executives Board for Coordination on recommendation 7 of the Unit;

11. *Endorses* recommendation 8, which should not affect existing practices concerning the free distribution of public information materials;

12. *Also endorses* recommendation 9, and agrees with the Chief Executives Board for Coordination that the application of this approach needs to be tailored to the specific objectives and circumstances of the organizations concerned;

13. *Takes note* of recommendations 11 to 13 of the Unit and the related comments of the Chief Executives Board for Coordination.

RESOLUTION 58/264

Adopted at the 79th plenary meeting, on 23 December 2003, without a vote, on the recommendation of the Committee (A/58/572, para. 19)[74]

58/264. Conditions of service and compensation for officials other than Secretariat officials: members of the International Court of Justice, judges of the International Tribunal for the Former Yugoslavia and judges of the International Criminal Tribunal for Rwanda

The General Assembly,

Recalling section VIII of its resolution 53/214 of 18 December 1998 and its resolution 56/285 of 27 June 2002 on the conditions of service and compensation for officials other than Secretariat officials: members of the International Court of Justice, judges of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 and judges of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994, its resolution 55/249 of 12 April 2001 on the conditions of service and compensation for the ad litem judges of the International Tribunal for the Former Yugoslavia and its resolution 57/289 of 20 December 2002 on the financing of the International Criminal Tribunal for Rwanda,

Having considered the report of the Secretary-General,[75]

1. *Decides* to amend article 1 of the Pension Scheme Regulations for the members of the International Court of Justice and to replace that article with the provisions set out in annex I to the present resolution;

2. *Also decides* to amend article 1 of the Pension Scheme Regulations for the judges of the International Tribunal for the Former Yugoslavia and to replace that article with the provisions set out in annex II to the present resolution;

3. *Further decides* to amend article 1 of the Pension Scheme Regulations for the judges of the International Criminal Tribunal for Rwanda and to replace that article with the provisions set out in annex III to the present resolution.

Annex I

Pension Scheme Regulations for the members of the International Court of Justice (based on the provisions of General Assembly resolution 38/239 of 20 December 1983 and section VIII of Assembly resolution 53/214 of 18 December 1998 and applicable as from 1 January 1999)

Replace the text of article 1 with the following:

Article 1
Retirement pension

1. A member of the International Court of Justice who has ceased to hold office and who has reached the age of sixty shall be entitled during the remainder of his or her life, subject to paragraphs 6 and 7 below, to a retirement pension, payable monthly provided that he or she has:

(*a*) Completed at least three years of service;

(*b*) Not been required to relinquish his or her appointment under Article 18 of the Statute of the Court for reasons other than the state of his or her health.

2. For a member who has served a full term of nine years, the annual pension entitlement shall be:

(*a*) For the year 1999, 60,000 United States dollars;

(*b*) For the year 2000, 70,000 dollars;

(*c*) With effect from 1 January 2001, one half of the annual salary.

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[74] The draft resolution recommended in the report was submitted by the Chairman of the Committee.

[75] A/C.5/57/36.

3. A member serving in office as from 31 December 1998, who has been or is re-elected, shall be entitled to an increase in the amount of the pension by one three-hundredth of the amount payable under paragraph 2 for each month of service in excess of nine years, provided that maximum retirement pension shall not exceed two thirds of his or her annual salary:

(*a*) For the year 1999, a maximum of 81,600 dollars;

(*b*) For the year 2000, a maximum of 95,200 dollars;

(*c*) For the year 2001, two thirds of the annual salary, 106,667 dollars.

4. A member who has served for less than a full term of nine years shall be entitled to a retirement pension in the amount of that proportion of one half of the annual salary which the number of months of his or her actual service bears to one hundred and eight.

5. A member who ceases to hold office before the age of sixty and who would be entitled to a retirement pension when he or she reached that age may elect to receive a pension from any date after the date on which he or she ceases to hold office. Should he or she so elect, an actuarial reduction factor of one half of one per cent per month would be applied on the retirement pension which would have been paid to him or her at the age of sixty.

6. No retirement pension shall be payable to a former member who has been re-elected to office until he or she again ceases to hold office. At that time, the amount of his or her pension shall be calculated in accordance with paragraphs 2 to 4 above on the basis of his or her total period of service and shall be subject to a reduction equal in actuarial value to the amount of any retirement pension paid to him or her before he or she reached the age of sixty.

7. No retirement pension shall be payable to a former member who has been elected or appointed a permanent judge of the International Tribunal for the Former Yugoslavia or the International Criminal Tribunal for Rwanda or who has been appointed to serve in the International Tribunal for the Former Yugoslavia or the International Criminal Tribunal for Rwanda as an ad litem judge until he or she ceases to hold that office or appointment.

Annex II

Pension Scheme Regulations for the judges of the International Tribunal for the Former Yugoslavia (based on the provisions of section VIII of General Assembly resolution 53/214 of 18 December 1998 and applicable as from 1 January 1999)

Replace the text of article 1 with the following:

Article 1
Retirement pension

1. A judge of the International Tribunal for the Former Yugoslavia who has ceased to hold office and who has reached the age of sixty shall be entitled during the remainder of his or her life, subject to paragraphs 4 and 5 below, to a retirement pension, payable monthly provided that he or she has:

(*a*) Completed at least three years of service;

(*b*) Not been required to relinquish his or her appointment under Article 18 of the Statute of the International Court of Justice for reasons other than the state of his or her health.

2. The amount of the retirement pension shall be determined as follows:

(*a*) If the judge has served a full term of four years and ceases to hold office after 1 January 2001, the amount of the annual pension shall be two ninths of the annual salary;

(*b*) If the judge has served a full term of four years and ceases to hold office after 1 January 1999 but before 1 January 2000, the amount of the annual pension shall be 26,500 United States dollars;

(*c*) If the judge has served a full term of four years and ceases to hold office after 1 January 2000 but before 1 January 2001, the amount of the annual pension shall be 31,000 dollars;

(*d*) Judges who have served a term of four years and who retire in 1999 or 2000 shall receive an increase in their pension as follows. As noted above, judges retiring in 1999 shall receive an annual pension of 26,500 dollars. Their annual pension shall be increased to 31,000 dollars in 2000 and to 35,500 dollars in 2001. Judges retiring in 2000 shall receive an annual pension of 31,000 dollars. The pension shall be increased to 35,500 dollars in 2001;

(*e*) With effect from 1 January 1999, all pensions in course of payment as at 31 December 1998, including pensions of judges who retire on or before that date, shall be increased by 10.3 per cent, i.e., the change resulting from the increase in the annual salary;

(*f*) If a judge served for less than a full term of four years, the amount of the pension shall be that proportion of the annual pension which the number of months of his or her actual service bears to forty-eight;

(*g*) If the judge came into office prior to 1 January 1999 and has been or is subsequently re-elected for another term, he or she shall continue to receive one one-hundred-and-thirty-third of the International Tribunal's pension benefit for each further month subsequent to his or her initial term, up to a maximum pension equivalent to eight twenty-sevenths of the annual salary. Judges elected to terms of office commencing after 31 December 1998 shall not be entitled to an increase in their pension benefit in case of re-election.

3. A judge who ceased to hold office before the age of sixty and who would be entitled to a retirement pension when he or she reached that age may elect to receive a pension from any date after the date on which he or she ceases to hold office. Should he or she so elect, the amount of such pension shall be

that amount which has the same value as the retirement pension which would have been paid to him or her at the age of sixty.

4. No retirement pension shall be payable to a former judge who has been re-elected to office until he or she again ceases to hold office. At that time, the amount of his or her pension shall be calculated in accordance with paragraph 2 above on the basis of his or her total period of service and shall be subject to a reduction equal in actuarial value to the amount of any retirement pension paid to him or her before he or she reached the age of sixty.

5. No retirement pension shall be payable to a former judge who has been elected a member of the International Court of Justice or who has been elected or appointed a permanent judge of the International Criminal Tribunal for Rwanda or who has been appointed to serve on the International Tribunal for the Former Yugoslavia or the International Criminal Tribunal for Rwanda as an ad litem judge until he or she ceases to hold that office or appointment.

Annex III

Pension Scheme Regulations for the judges of the International Criminal Tribunal for Rwanda (based on the provisions of section VIII of General Assembly resolution 53/214 of 18 December 1998 and applicable as from 1 January 1999)

Replace the text of article 1 with the following:

Article 1
Retirement pension

1. A judge of the International Criminal Tribunal for Rwanda who has ceased to hold office and who has reached the age of sixty shall be entitled during the remainder of his or her life, subject to paragraphs 4 and 5 below, to a retirement pension, payable monthly provided that he or she has:

(*a*) Completed at least three years of service;

(*b*) Not been required to relinquish his or her appointment under Article 18 of the Statute of the International Court of Justice for reasons other than the state of his or her health.

2. The amount of the retirement pension shall be determined as follows:

(*a*) If the judge has served a full term of four years and ceases to hold office after 1 January 2001, the amount of the annual pension shall be two ninths of the annual salary;

(*b*) If the judge has served a full term of four years and ceases to hold office after 1 January 1999 but before 1 January 2000, the amount of the annual pension shall be 26,500 United States dollars;

(*c*) If the judge has served a full term of four years and ceases to hold office after 1 January 2000 but before 1 January 2001, the amount of the annual pension shall be 31,000 dollars;

(*d*) Judges who have served a term of four years and who retire in 1999 or 2000 shall receive an increase in their pension as follows. As noted above, judges retiring in 1999 shall receive an annual pension of 26,500 dollars. Their annual pension shall be increased to 31,000 dollars in 2000 and to 35,500 dollars in 2001. Judges retiring in 2000 shall receive an annual pension of 31,000 dollars. The pension shall be increased to 35,500 dollars in 2001;

(*e*) With effect from 1 January 1999, all pensions in course of payment as at 31 December 1998, including pensions of judges who retire on or before that date, shall be increased by 10.3 per cent, i.e., the change resulting from the increase in the annual salary;

(*f*) If a judge served for less than a full term of four years, the amount of the pension shall be that proportion of the annual pension which the number of months of his or her actual service bears to forty-eight;

(*g*) If the judge came into office prior to 1 January 1999 and has been or is subsequently re-elected for another term, he or she shall continue to receive one one-hundred-and-thirty-third of the International Tribunal's pension benefit for each further month subsequent to his or her initial term, up to a maximum pension equivalent to eight twenty-sevenths of the annual salary. Judges elected to terms of office commencing after 31 December 1998 shall not be entitled to an increase in their pension benefit in case of re-election.

3. A judge who ceased to hold office before the age of sixty and who would be entitled to a retirement pension when he or she reached that age may elect to receive a pension from any date after the date on which he or she ceases to hold office. Should he or she so elect, the amount of such pension shall be that amount which has the same value as the retirement pension which would have been paid to him or her at the age of sixty.

4. No retirement pension shall be payable to a former judge who has been re-elected to office until he or she again ceases to hold office. At that time, the amount of his or her pension shall be calculated in accordance with paragraph 2 above on the basis of his or her total period of service and shall be subject to a reduction equal in actuarial value to the amount of any retirement pension paid to him or her before he or she reached the age of sixty.

5. No retirement pension shall be payable to a former judge who has been elected a member of the International Court of Justice or who has been elected or appointed a permanent judge of the International Tribunal for the Former Yugoslavia or who has been appointed to serve in the International Tribunal for the Former Yugoslavia or the International Criminal Tribunal for Rwanda as an ad litem judge until he or she ceases to hold that office or appointment.

RESOLUTION 58/265

Adopted at the 79th plenary meeting, on 23 December 2003, without a vote, on the recommendation of the Committee (A/58/572, para. 19)[76]

58/265. Salary and retirement allowance of the Secretary-General and salary and pensionable remuneration of the Administrator of the United Nations Development Programme

The General Assembly,

Recalling paragraph 4 of its resolution 57/310 of 18 June 2003,

Having considered the report of the Advisory Committee on Administrative and Budgetary Questions,[77]

Concurs with paragraph 3 of the report of the Advisory Committee on Administrative and Budgetary Questions,[77] and decides, at this time, not to change the current practice regarding the salary and retirement allowance of the Secretary-General and salary and pensionable remuneration of the Administrator of the United Nations Development Programme.

RESOLUTION 58/266

Adopted at the 79th plenary meeting, on 23 December 2003, without a vote, on the recommendation of the Committee (A/58/572, para. 19)[78]

58/266. Conditions of service and compensation for officials, other than Secretariat officials, serving the General Assembly: full-time members of the International Civil Service Commission and the Chairman of the Advisory Committee on Administrative and Budgetary Questions

The General Assembly,

Recalling its resolutions 35/221 of 17 December 1980 and 55/238 of 23 December 2000,

Having considered the report of the Secretary-General,[79]

1. *Approves* the suggestions outlined in paragraphs 4 to 6 of the report of the Secretary-General,[79] due to the increase in the salary scale for staff in certain grades of the Professional and higher categories in accordance with its resolution 57/285 of 20 December 2002, with effect from 1 September 2003;

2. *Decides* that the additional financial requirements stemming from the proposals shall be reflected in its resolution on the second performance report for the biennium 2002–2003;

3. *Also decides* to maintain the procedure for adjusting the compensation of the Chairman and Vice-Chairman of the International Civil Service Commission and the Chairman of the Advisory Committee on Administrative and Budgetary Questions on the basis of the movement of the consumer price index;[80]

4. *Requests* the Secretary-General to bring the issue of conditions of service and compensation of the three officials to the attention of the General Assembly when the annual compensation for the Chairman of the International Civil Service Commission and the Chairman of the Advisory Committee on Administrative and Budgetary Questions falls below the level of the compensation of Assistant Secretaries-General, but no sooner than at its sixty-third session;

5. *Decides* that the procedure outlined above shall replace the requirement for future five-year comprehensive reviews outlined in paragraph 8 of the report of the Secretary-General;

6. *Reaffirms* the principle that the conditions of service and compensation of the three officials shall be separate and distinct from those of officials of the United Nations Secretariat.

RESOLUTIONS 58/267 A and B

Adopted at the 79th plenary meeting, on 23 December 2003, without a vote, on the recommendation of the Committee (A/58/572/Add.1, para. 5)[81]

58/267. Programme budget for the biennium 2002–2003

A

FINAL BUDGET APPROPRIATIONS FOR THE BIENNIUM 2002–2003

The General Assembly

1. *Takes note* of the second performance report of the Secretary-General on the programme budget for the biennium 2002–2003[82] and the related report of the Advisory Committee on Administrative and Budgetary Questions;[83]

2. *Resolves* that, for the biennium 2002–2003:

(*a*) The amount of 2,891,068,700 United States dollars appropriated by it in its resolutions 57/293 A of 20 December 2002 and 57/311 of 18 June 2003 shall be increased by 76,659,100 dollars, as follows:

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[76] The draft resolution recommended in the report was submitted by the Vice-Chairman of the Committee.

[77] A/58/7/Add.3. For the final text, see *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 7A*.

[78] The draft resolution recommended in the report was submitted by the Chairman of the Committee.

[79] A/C.5/57/35.

[80] Ibid., para. 2.

[81] The draft resolutions recommended in the report were submitted by the Chairman of the Committee.

[82] A/58/558 and Add.1 and Add.1/Corr.1.

[83] A/58/604.

Section		*Amount approved by the General Assembly in its resolutions 57/293 A and 57/311*	*Increase/ (decrease)*	*Final appropriation*
		(United States dollars)		
	Part I. *Overall policy-making, direction and coordination*			
1.	Overall policy-making, direction and coordination	50 628 800	1 207 300	51 836 100
2.	General Assembly affairs and conference services	470 592 900	18 320 700	488 913 600
	Total, part I	**521 221 700**	**19 528 000**	**540 749 700**
	Part II. *Political affairs*			
3.	Political affairs	251 550 300	12 023 700	263 574 000
4.	Disarmament	15 821 100	330 800	16 151 900
5.	Peacekeeping operations	78 200 100	(1 668 400)	76 531 700
6.	Peaceful uses of outer space	4 315 300	(182 500)	4 132 800
	Total, part II	**349 886 800**	**10 503 600**	**360 390 400**
	Part III. *International justice and law*			
7.	International Court of Justice	26 315 900	1 964 900	28 280 800
8.	Legal affairs	35 754 500	(324 300)	35 430 200
	Total, part III	**62 070 400**	**1 640 600**	**63 711 000**
	Part IV. *International cooperation for development*			
9.	Economic and social affairs	123 902 200	2 987 200	126 889 400
9A.	Office of the High Representative for the Least Developed Countries	3 099 500	(865 900)	2 233 600
10.	Africa: New Agenda for Development	6 052 300	46 300	6 098 600
11A.	Trade and development	91 295 800	1 778 200	93 074 000
11B.	International Trade Centre UNCTAD/WTO	19 373 900	997 900	20 371 800
12.	Environment	8 355 100	500 300	8 855 400
13.	Human settlements	12 794 200	847 800	13 642 000
14.	Crime prevention and criminal justice	6 339 800	1 074 900	7 414 700
15.	International drug control	16 293 700	1 551 800	17 845 500
	Total, part IV	**287 506 500**	**8 918 500**	**296 425 000**
	Part V. *Regional cooperation for development*			
16.	Economic and social development in Africa	83 865 900	(5 009 200)	78 856 700
17.	Economic and social development in Asia and the Pacific	58 821 300	(253 100)	58 568 200
18.	Economic development in Europe	43 798 800	3 551 200	47 350 000
19.	Economic and social development in Latin America and the Caribbean	73 210 500	189 300	73 399 800
20.	Economic and social development in Western Asia	49 842 800	(467 500)	49 375 300
21.	Regular programme of technical cooperation	42 871 500	1 034 100	43 905 600
	Total, part V	**352 410 800**	**(955 200)**	**351 455 600**
	Part VI. *Human rights and humanitarian affairs*			
22.	Human rights	47 576 300	534 500	48 110 800
23.	Protection of and assistance to refugees	45 956 000	3 315 500	49 271 500
24.	Palestine refugees	28 278 700	1 250 800	29 529 500
25.	Humanitarian assistance	20 577 400	168 300	20 745 700
	Total, part VI	**142 388 400**	**5 269 100**	**147 657 500**

Section		Amount approved by the General Assembly in its resolutions 57/293 A and 57/311	Increase/ (decrease)	Final appropriation
		(United States dollars)		
	Part VII. *Public information*			
26.	Public information	147 107 600	278 200	147 385 800
	Total, part VII	**147 107 600**	**278 200**	**147 385 800**
	Part VIII. *Common support services*			
27.	Management and central support services	451 342 100	6 748 000	458 090 100
	Total, part VIII	**451 342 100**	**6 748 000**	**458 090 100**
	Part IX. *Internal oversight*			
28.	Internal oversight	20 946 600	82 300	21 028 900
	Total, part IX	**20 946 600**	**82 300**	**21 028 900**
	Part X. *Jointly financed administrative activities and special expenses*			
29.	Jointly financed administrative activities	8 759 600	(647 900)	8 111 700
30.	Special expenses	77 085 600	4 820 800	81 906 400
	Total, part X	**85 845 200**	**4 172 900**	**90 018 100**
	Part XI. *Capital expenditures*			
31.	Construction, alteration, improvement and major maintenance	88 341 100	529 900	88 871 000
	Total, part XI	**88 341 100**	**529 900**	**88 871 000**
	Part XII. *Staff assessment*			
32.	Staff assessment	368 936 500	19 943 200	388 879 700
	Total, part XII	**368 936 500**	**19 943 200**	**388 879 700**
	Part XIII. *Development Account*			
33.	Development Account	13 065 000	-	13 065 000
	Total, part XIII	**13 065 000**	**-**	**13 065 000**
	Grand total	**2 891 068 700**	**76 659 100**	**2 967 727 800**

(*b*) The Secretary-General shall be authorized to transfer credits between sections of the budget, with the concurrence of the Advisory Committee;

(*c*) In addition to the appropriations approved under subparagraph (*a*) above, an amount of 125,000 dollars is appropriated for each year of the biennium 2002–2003 from the accumulated income of the Library Endowment Fund for the purchase of books, periodicals, maps and library equipment and for such other expenses of the Library at the Palais des Nations as are in accordance with the objects and provisions of the endowment.

B

FINAL INCOME ESTIMATES FOR THE BIENNIUM 2002–2003

The General Assembly

Resolves that, for the biennium 2002–2003:

(*a*) The estimates of income of 414,429,600 United States dollars approved by it in its resolution 57/293 B of 20 December 2002 shall be increased by 13,660,500 dollars, as follows:

Income section	Amount approved by the General Assembly in its resolution 57/293 B	Increase/(decrease)	Final estimate
	(United States dollars)		
1. Income from staff assessment	373 048 100	20 053 100	393 101 200
Total, income section 1	**373 048 100**	**20 053 100**	**393 101 200**
2. General income	41 953 200	(8 211 000)	33 742 200
3. Services to the public	(571 700)	1 818 400	1 246 700
Total, income sections 2 and 3	**41 381 500**	**(6 392 600)**	**34 988 900**
Grand total	**414 429 600**	**13 660 500**	**428 090 100**

(*b*) The income from staff assessment shall be credited to the Tax Equalization Fund in accordance with the provisions of General Assembly resolution 973 (X) of 15 December 1955;

(*c*) Direct expenses of the United Nations Postal Administration, services to visitors, catering and related services, garage operations, television services and the sale of publications, not provided for under the budget appropriations, shall be charged against the income derived from those activities.

RESOLUTION 58/268

Adopted at the 79th plenary meeting, on 23 December 2003, without a vote, on the recommendation of the Committee (A/58/574, para. 6)[84]

58/268. Programme planning

The General Assembly,

Recalling its resolutions 37/234 of 21 December 1982, 38/227 A of 20 December 1983, 41/213 of 19 December 1986, 55/234 of 23 December 2000, 56/253 of 24 December 2001, 57/282 of 20 December 2002 and 58/270 of 23 December 2003,

Having considered the report of the Committee for Programme and Coordination on the work of its forty-third session,[85]

Appreciating the letters from the President of the General Assembly transmitting the recommendations of the Assembly,[86] the Second Committee,[87] the Third Committee[88] and the Special Political and Decolonization Committee (Fourth Committee),[89] on the recommendations of the Committee for Programme and Coordination on proposed revisions to programmes 7, 8 and 23 of the medium-term plan for the period 2002–2005, and on evaluation,

1. *Takes note* of the report of the Committee for Programme and Coordination on the work of its forty-third session;[85]

2. *Endorses* the conclusions and recommendations of the Committee for Programme and Coordination on the proposed revisions to the medium-term plan for the period 2002–2005 as contained in the report of the Committee on the work of its forty-third session[85] and as endorsed by the Second Committee regarding programme 7, Economic and social affairs,[87] by the General Assembly regarding programme 8, United Nations support for the New Partnership for Africa's Development,[90] and by the Special Political and Decolonization Committee (Fourth Committee) regarding programme 23, Public information;[89]

3. *Reaffirms* the relevant paragraphs of its resolution 55/231 of 23 December 2000, and requests the Secretary-General to submit to the General Assembly at its fifty-ninth session, through the Committee for Programme and Coordination, a report on priority-setting;

4. *Endorses* the conclusions and recommendations of the Committee for Programme and Coordination on the review of the efficiency of the administrative and financial functioning of the United Nations, as contained in chapter II of the report of the Committee on the work of its forty-third session;[85] on evaluation, as contained in section C of chapter III[85] and as

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[84] The draft resolution recommended in the report was submitted by the Chairman of the Committee.

[85] *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 16* (A/58/16).

[86] A/C.5/58/19 and A/C.5/58/21.

[87] A/C.5/58/11.

[88] A/C.5/58/15.

[89] A/C.5/58/14.

[90] A/C.5/58/19.

endorsed by the Third Committee[88] and the General Assembly;[91] on the annual overview report of the United Nations System Chief Executives Board for Coordination for 2002 and on the New Partnership for Africa's Development, as contained in chapter IV;[85] and on the Joint Inspection Unit, as contained in chapter V;[85]

5. *Decides* to consider the report of the Secretary-General on the practice of involving United Nations programme managers in investigative processes, requested in section IV, paragraph 3, of its resolution 57/282, at the first part of its resumed fifty-eighth session under the item entitled "Review of the efficiency of the administrative and financial functioning of the United Nations".

RESOLUTION 58/269

Adopted at the 79th plenary meeting, on 23 December 2003, without a vote, on the recommendation of the Committee (A/58/587, para. 6)[92]

58/269. Strengthening of the United Nations: an agenda for further change

The General Assembly,

Reaffirming its determination to strengthen further the role, capacity, effectiveness and efficiency of the United Nations and thus improve its performance in order to realize the full potential of the Organization, in accordance with the purposes and principles of the Charter of the United Nations, and to respond more effectively to the needs of Member States and existing and new global challenges facing the United Nations in the twenty-first century,

Recalling Articles 17, 18, 97 and 100 of the Charter of the United Nations,

Recalling also its resolutions 41/213 of 19 December 1986, 42/211 of 21 December 1987 and 55/234 of 23 December 2000,

Recalling further the relevant provisions of its resolution 57/300 of 20 December 2002,

Recalling the terms of reference of the Committee for Programme and Coordination, as outlined in the annex to Economic and Social Council resolution 2008 (LX) of 14 May 1976,

Emphasizing that resources provided to the Secretary-General should be commensurate with all mandated programmes and activities,

Reaffirming the role of the General Assembly and its relevant intergovernmental and expert bodies, within their respective mandates, in planning, programming, budgeting, monitoring and evaluation,

Having considered the reports of the Secretary-General entitled "Intergovernmental review of the medium-term plan and the programme budget"[93] and "Improvements to the current process of planning and budgeting",[94] the note by the Secretary-General entitled "Improvements to the current process of planning and budgeting"[95] and the reports of the Advisory Committee on Administrative and Budgetary Questions thereon,[96]

Taking into account the views expressed by the Member States during the consideration of this item at its fifty-seventh and fifty-eighth sessions,

1. *Welcomes* the commitment of the Secretary-General to strengthening the United Nations, including its planning, programming and budgetary process;

2. *Stresses* that setting the priorities of the United Nations is the prerogative of the Member States, as reflected in legislative mandates;

3. *Stresses also* the need for the Member States to participate fully in the budget preparation process, from its early stages and throughout the process;

4. *Emphasizes* the importance of providing the information necessary to enable Member States to make well-informed decisions;

5. *Requests* the Secretary-General to prepare, on a trial basis, for submission to the General Assembly at its fifty-ninth session, a strategic framework to replace the current four-year medium-term plan, which would comprise in one document:

(*a*) Part one: a plan outline, reflecting the longer-term objectives of the Organization;

(*b*) Part two: a biennial programme plan, to cover two years;

6. *Decides* that:

(*a*) The budget outline shall continue to provide the same level of detail as at present, in accordance with regulation 3.2 of the Regulations and Rules Governing Programme Planning, the Programme Aspects of the Budget, the

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[91] A/C.5/58/21.

[92] The draft resolution recommended in the report was submitted by the Chairman of the Committee.

[93] A/57/786.

[94] A/58/395 and Corr.1.

[95] A/58/600.

[96] A/58/7/Add.5 (for the final text, see *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 7A*) and A/58/610.

Monitoring of Implementation and the Methods of Evaluation;[97]

(*b*) The budget outline shall be submitted and considered for approval after consideration and adoption of the strategic framework;

(*c*) After their approval, the budget outline and strategic framework shall together form the basis for preparing the proposed programme budget;

7. *Affirms* that the strategic framework, as outlined above, shall constitute the principal policy directive of the United Nations and shall serve as the basis for programme planning, budgeting, monitoring and evaluation;

8. *Decides* to review, with a view to taking a final decision at its sixty-second session, the format, content and duration of the strategic framework, including the necessity of maintaining part one, and requests the Secretary-General to submit a report, through the Committee for Programme and Coordination, reviewing the experiences gained with the changes made in the planning and budgeting process;

9. *Decides also* that the programme narratives of the programme budget fascicles shall be identical to the biennial programme plan;

10. *Decides further* to keep the current format of the proposed programme budget and to maintain the level of information contained therein;

11. *Decides* that the Committee for Programme and Coordination shall no longer consider the budget outline;

12. *Requests* the Secretary-General to include in the introduction of the budget fascicles information on the new and/or revised mandates approved by the General Assembly subsequent to the adoption of the biennial programme plan;

13. *Requests* the Committee for Programme and Coordination, in performing its programmatic role in the planning and budgeting process, to review the programmatic aspects of the new and/or revised mandates referred to above, as well as any differences that arise between the biennial programme plan and the programmatic aspects of the proposed programme budget;

14. *Also requests* the Committee for Programme and Coordination, in the context of its report on its forty-fifth session, to provide comments on the various aspects of the review process referred to above;

15. *Emphasizes* the importance of the intergovernmental nature of the Committee for Programme and Coordination in discharging its functions;

16. *Invites* the Committee for Programme and Coordination to submit at its forty-fourth session proposals on enhancing its role in monitoring and evaluation;

17. *Recalls* paragraph 34 of General Assembly resolution 57/300, in which the Assembly invited the Committee for Programme and Coordination to continue to improve its working methods;

18. *Invites* the Committee for Programme and Coordination to submit, at its forty-fourth session, recommendations on improving its effectiveness;

19. *Emphasizes* the need to strengthen the monitoring and evaluation system, and in this regard urges the Secretary-General to improve the format and timing of programme performance and evaluation reports;

20. *Requests* the Secretary-General to ensure that resources are clearly identified in all the sections of the proposed programme budget for the performance of the monitoring and evaluation functions;

21. *Also requests* the Secretary-General to entrust the Office of Internal Oversight Services, in collaboration with the Joint Inspection Unit, with submitting to the General Assembly for consideration at its sixtieth session proposals on the strengthening and monitoring of programme performance and evaluation.

RESOLUTION 58/270

Adopted at the 79th plenary meeting, on 23 December 2003, without a vote, on the recommendation of the Committee (A/58/573, para. 79)[98]

58/270. Questions relating to the proposed programme budget for the biennium 2004–2005

The General Assembly,

Reaffirming its resolutions 41/213 of 19 December 1986, 42/211 of 21 December 1987, 45/248 B, section VI, of 21 December 1990 and 56/253 of 24 December 2001,

Recalling its resolutions 57/280 and 57/282 of 20 December 2002,

Recalling also its resolutions 57/292 of 20 December 2002 and 57/311 of 18 June 2003,

Reaffirming the respective mandates of the Advisory Committee on Administrative and Budgetary Questions and the Committee for Programme and Coordination in the context of the proposed programme budget for the biennium 2004–2005,

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[97] ST/SGB/2000/8.

[98] The draft resolution recommended in the report was submitted by the Chairman of the Committee.

Having considered the proposed programme budget for the biennium 2004–2005[99] and the relevant reports of the Advisory Committee on Administrative and Budgetary Questions [100] and the Committee for Programme and Coordination[101] thereon,

1. *Reaffirms* that the Fifth Committee is the appropriate Main Committee of the General Assembly entrusted with responsibilities for administrative and budgetary matters;

2. *Also reaffirms* rule 153 of its rules of procedure;

3. *Further reaffirms* the Regulations and Rules Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation[102] and the Financial Regulations and Rules of the United Nations;[103]

4. *Welcomes* the timely submission of the proposed programme budget for the biennium 2004–2005;[99]

5. *Endorses* the conclusions and recommendations of the Committee for Programme and Coordination on the programme narratives of the proposed programme budget for the biennium 2004–2005 contained in the report of the Committee on the work of its forty-third session,[101] subject to the provisions of the present resolution, as reflected in annex I;

6. *Approves* the programme narratives of section 14, Environment, and section 24, Human rights, as also reflected in annex I;

7. *Endorses* the conclusions and recommendations of the Advisory Committee on Administrative and Budgetary Questions concerning posts and non-post resources contained in its report on the proposed programme budget for the biennium 2004–2005, [104] subject to the provisions of the present resolution;

8. *Decides* that a vacancy rate of 5.5 per cent for Professional staff and 3.8 per cent for General Service staff shall be used as a basis for the calculation of the budget for the biennium 2004–2005;

9. *Also decides* to maintain the current practice of recosting for the forthcoming biennium, except with respect to section 23, Regular programme of technical cooperation, of the proposed programme budget, to which recosting should not be applied;

10. *Further decides* to revert to the question of recosting at its fifty-ninth session in the context of the first performance report on the programme budget for the biennium 2004–2005, and in this regard requests the Secretary-General to include in that report information on the variation between the projected recosting needs arising from inflation and currency movements as at October 2003 and at the time of the preparation of the report;

11. *Requests* the Board of Auditors, in consultation with the Secretary-General, to examine the recosting methodology and to report thereon to the General Assembly at its fifty-ninth session, including proposing the most appropriate mechanism for managing the currency aspects of the recosting methodology;

12. *Notes* the observations of the Advisory Committee on Administrative and Budgetary Questions related to the concept of managing the staffing table as a whole, contained in paragraphs 73 to 78 and 143 of its report;[104]

13. *Reaffirms* paragraph 35 of its resolution 57/300 of 20 December 2002;

14. *Requests* the Secretary-General, during the course of the programme budget for the biennium 2004–2005, to commence, on an experimental basis, with the redeployment of posts as necessary to meet the evolving needs of the Organization in attaining its mandated programmes and activities, in accordance with the following principles:

(*a*) The experiment shall be limited to the redeployment of up to 50 posts Organization-wide;

(*b*) The experiment shall not imply any change in the human resources management policies of the Organization;

(*c*) The proposed programme budget shall remain the principal instrument in which the Secretary-General sets out the resources and staffing requirements of the Organization;

(*d*) The authority to redeploy posts shall in no way prevent the Secretary-General from requesting additional posts during the course of the experiment;

(*e*) The experiment shall not exacerbate high vacancy rates in any budget sections;

(*f*) The experiment shall not apply to language services;

(*g*) Redeployment between sections shall be carried out only after all possibilities of using resources available within budget sections that will benefit from the transfer have been exhaustively explored;

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[99] A/58/6 (Introduction), A/58/6 (Sects. 1–35), A/58/6 (Sect. 13)/Add.1, A/58/6 (Sect. 14)/Rev.1, A/58/6 (Income sects. 1–3) and A/58/6/Corr.1. For the final text, see *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 6*.

[100] *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 7* and corrigendum (A/58/7 and Corr.1); and A/58/7/Add.13 (for the final text, see *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 7A*).

[101] Ibid., *Supplement No. 16* (A/58/16).

[102] ST/SGB/2000/8.

[103] ST/SGB/2003/7.

[104] *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 7* and corrigendum (A/58/7 and Corr.1).

(*h*) The experiment shall not be implemented as a result of General Assembly resolutions calling for the implementation of decisions "within existing resources";

(*i*) Reporting to the General Assembly shall be carried out in the context of the annual budget performance reports;

(*j*) The Secretary-General is requested to provide information periodically to the Advisory Committee on Administrative and Budgetary Questions on actions taken;

15. *Also requests* the Secretary-General to ensure that the experiment shall in no way limit opportunities for external recruitment for posts at any level;

16. *Further requests* the Secretary-General to report to the General Assembly at its resumed fifty-ninth session on the implications of the experiment for human resources management policies;

17. *Requests* the Secretary-General to submit, through the Advisory Committee on Administrative and Budgetary Questions, a comprehensive report for consideration by the General Assembly at its sixtieth session on the progress of and lessons learned from the experiment, including the following aspects:

(*a*) Implications for the relevant financial regulations and rules of the Organization;

(*b*) Additional implications, if any, for human resources management policies;

(*c*) Constraints encountered by the Secretary-General in exercising the flexibility granted to him in General Assembly resolutions 48/228 C of 29 July 1994 and 50/214 of 23 December 1995, as well as in regulation 5.6 of the Financial Regulations and Rules of the United Nations;[103]

(*d*) Measures to ensure that such a policy will not have any negative impact on sections with high vacancy rates;

(*e*) An elaboration of the elements requested in paragraph 35 of its resolution 57/300;

(*f*) Recommendations concerning the possible application of this approach to managing the staffing table in future;

18. *Decides* that the staffing table for each year of the biennium 2004–2005 shall be as set out in annex II to the present resolution;

19. *Also decides*, notwithstanding the proposal of the Secretary-General and the recommendations of the Advisory Committee on Administrative and Budgetary Questions, to approve new posts to be funded from the regular budget for the biennium 2004–2005, as set out in annex III to the present resolution;

20. *Recalls* paragraphs 8 and 9 of its resolution 57/300, and in this regard notes the proposal of the Secretary-General in his report on the administration and management of the Office of the United Nations High Commissioner for Human Rights[105] regarding the establishment of two posts, one P-5 and one P-4, under subprogramme 2, as well as two posts, one D-1 and one P-4, under subprogramme 3 of section 24, Human rights, of the proposed programme budget for the biennium 2004–2005 related to the implementation of actions 3 and 4 of his report entitled "Strengthening of the United Nations: an agenda for further change";[106]

21. *Decides* to establish the above-mentioned posts, as set out in annex III to the present resolution;

22. *Also decides* to consider this issue further in the context of the decisions of the relevant intergovernmental bodies on the issues referred to in paragraphs 8 and 9 of resolution 57/300;

23. *Further decides* to reclassify four P-4 posts to the P-5 level, one in section 15, Human settlements, one in section 17, International drug control, and two in section 22, Economic and social development in Western Asia, one D-1 post to the D-2 level in section 30, Internal oversight, and one D-2 post to the Assistant Secretary-General level in section 27, Humanitarian assistance;

24. *Decides* to approve the post conversions requested by the Secretary-General and recommended by the Advisory Committee on Administrative and Budgetary Questions, as set out in annex IV to the present resolution, with the exception of two posts, one P-4 and one P-3, that had been proposed for conversion to section 5, Peacekeeping operations, from the Voluntary Trust Fund for Assistance in Mine Action;

25. *Requests* the Secretary-General to suspend recruitment action for new vacancies in General Service posts for the biennium 2004–2005, with the exception of safety and security personnel and editorial assistants (text processors) in language functions, and to report on the progress made and on the impact of those measures in the context of his performance reports;

26. *Decides* to abolish six General Service posts, three in the Department of Economic and Social Affairs of the Secretariat and three in the Economic Commission for Europe;

27. *Also decides* to reduce further, by 3.2 million United States dollars, the proposed provision for restoration of common services;

28. *Further decides* to reduce the provision for general temporary assistance by 2.5 million dollars;

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[105] A/58/569.

[106] A/57/387 and Corr.1.

29. *Decides* that the reduction described in paragraph 28 above should not be applied to section 2, General Assembly affairs and conference services;

30. *Also decides* to reduce by 2 million dollars the provision for overtime and night differential, as set out in paragraph 84 of the first report of the Advisory Committee on Administrative and Budgetary Questions on the proposed programme budget for the biennium 2004–2005,[104] further decides that the relevant reductions should not be applied to security operations, and invites the Secretary-General to elaborate on resource needs for overtime and night differential in the context of his first budget performance report;

31. *Requests* the Secretary-General to discontinue the practice of paying higher subsistence rates to middle- and senior-level United Nations staff members;

32. *Decides* to reduce the total appropriation for publications by 400,000 dollars;

33. *Also decides* to maintain provisions for the United Nations Truce Supervision Organization at the level recommended by the Secretary-General;

34. *Further decides* to appropriate an amount of 38,200 dollars, under section 9, Economic and social affairs, requested for the preparation of Executive Committee papers on common strategic policy issues and/or support for the Committee's work on publications in advancing the Millennium Development Goals;

35. *Decides* to appropriate an amount of 78,500 dollars, under section 9, Economic and social affairs, requested under subprogramme 2 for consultants and experts;

36. *Also decides* to defer the appropriation of the budgetary provisions for the Joint Inspection Unit for 2005;

37. *Further decides* to appropriate an amount of 1,858,600 dollars for consultants and experts for the United Nations Conference on Trade and Development;

38. *Decides* to appropriate an amount of 56,731,900 dollars for the Office of the United Nations High Commissioner for Refugees for the biennium 2004–2005;

39. *Also decides* to reduce the allocation for United Nations information centres by 2 million dollars;

40. *Further decides* to defer consideration of 590,000 dollars for a network back-up system at the United Nations Office at Geneva until such time as all viable alternatives have been explored and reported to the General Assembly;

41. *Decides* to restore an amount of 105,200 dollars under section 28, Public information, for supplies and materials under outreach services;

42. *Recalls* its decision 57/579 of 20 December 2002, and requests the Secretary-General to continue to strengthen the United Nations web site through further redeployment to the required language posts and to report on the status of its implementation to the General Assembly at its fifty-ninth session;

43. *Decides* to consider the proposal of the Secretary-General regarding the transfer of the technical secretariats of the Fifth and Sixth Committees at its fifty-ninth session, with a view to taking a decision in the context of the proposed programme budget for the biennium 2006–2007;

44. *Recalls* its resolution 57/24 of 19 November 2002 and regulation 5.6 and the criteria set forth in rule 105.6 (*a*) of the Regulations and Rules Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation,[102] and requests the Secretary-General to report, in the context of his first performance report, on the possibilities for absorptions or the mobilization of extrabudgetary resources for the *Repertory of Practice of the United Nations Organs*;

45. *Requests* the Secretary-General to submit a report to the General Assembly at its fifty-ninth session on improving the implementation of regulation 5.6 and rule 105.6 of the Regulations and Rules Governing Programme Planning;

46. *Also requests* the Secretary-General to continue to implement the information and communication technology strategy and to provide to the General Assembly at its fifty-ninth session a progress report on the impact of investments in information and communication technology;

47. *Further requests* the Secretary-General to review the structure and functions of all liaison or representation offices in New York of organizations headquartered elsewhere funded from the regular budget and to report to the General Assembly at its resumed fifty-eighth session on possibilities for improving their effectiveness;

48. *Requests* the Secretary-General to undertake a fundamental and comprehensive review of the regular programme of technical cooperation and to make appropriate proposals to the General Assembly at its fifty-ninth session;

49. *Also requests* the Secretary-General to submit to the General Assembly at its fifty-ninth session a proposal for the progressive implementation of article 20 of the statute of the Office of the United Nations High Commissioner for Refugees with a view to its full implementation;

50. *Further requests* the Secretary-General to conduct, through the Office of Internal Oversight Services, a review of the operation and management of United Nations libraries, with a view to assessing staffing requirements for those libraries in the light of technological advances in the delivery of information services, and to report thereon to the General Assembly at its fifty-ninth session;

51. *Requests* the Secretary-General to report to the General Assembly at its fifty-ninth session on proposals for developing a more robust capability within the Office of Human Resources Management of the Secretariat to enable it to reduce the level of underrepresentation of Member States and the number of unrepresented Member States;

52. *Also requests* the Secretary-General to entrust the Office of Internal Oversight Services with the task of conducting a study on the availability in local labour markets of the skills for which international recruitment for posts in the General Service category now takes place and to report to the General Assembly at its fifty-ninth session on the findings and their implications;

53. *Reaffirms* the provisions of paragraph 5 of General Assembly resolution 57/307 of 15 April 2003, requests the Secretary-General to ensure the independence of the United Nations Administrative Tribunal and the separation of its secretariat from the Office of Legal Affairs of the Secretariat, and also requests the Secretary-General to submit to it at its fifty-ninth session the report on the financial independence of the Tribunal requested in the above-mentioned resolution;

54. *Requests* the Secretary-General to report on further progress made to increase the capacity of the Economic Commission for Africa to communicate and transmit data electronically in the context of the proposed programme budget for the biennium 2006–2007;

55. *Reaffirms* paragraphs 15 and 17 of its resolution 57/300, in particular where the General Assembly requests the Secretary-General, with assistance from the Office of Internal Oversight Services, to proceed as quickly as possible to conduct a systematic evaluation of the impact, efficiency and cost-effectiveness of all activities of the Department of Public Information, and to report on progress made to the General Assembly at its fifty-ninth session through the Committee on Information and the Fifth Committee;

56. *Also reaffirms* that the Official Document System of the United Nations, as an archival and retrieval system of official documents, should cover the entire Organization, including the United Nations Office at Nairobi and all regional commissions, and in this regard requests the Secretary-General to pursue vigorous implementation and to report to the General Assembly at its fifty-ninth session on the progress made;

57. *Emphasizes* the priority it attaches to the necessity of improving and modernizing the conference facilities at the United Nations Office at Nairobi, and in this regard requests the Secretary-General to keep under review the issue of the construction of additional facilities at the Office and to report thereon to the General Assembly in the context of the proposed programme budget for the biennium 2006–2007, in the light of experience gained from operating the modernized conference facilities;

58. *Requests* the Secretary-General to submit a comprehensive report to the Assembly at its fifty-ninth session addressing possible measures to improve the performance of the Development Account, including ways and means aimed at bringing a more focused approach to project formulation, complementarity, implementation and evaluation, as well as to make proposals on increasing its funding in accordance with General Assembly resolutions 52/12 B of 19 December 1997 and 54/15 of 29 October 1999.

Annex I

Changes to the programme narratives of the proposed programme budget for the biennium 2004–2005[99] as reflected in the conclusions and recommendations of the Committee for Programme and Coordination at its forty-third session[101] and additional modifications

Section 1
Overall policy-making, direction and coordination

Table 1.21

Under indicator of achievement (*e*) (i), after "of the Secretary-General's reform", insert "as mandated by General Assembly resolutions", bearing in mind the provisions of Article 97 of the Charter of the United Nations.

Table 1.34

Add an indicator of achievement (*a*), reading: "(*a*) The number of conflicts referred to the Ombudsman for which the Ombudsman facilitated a resolution"; and insert "(*b*)" before the existing indicator.

Section 2
General Assembly affairs and conference services

Tables 2.15, 2.17, 2.19, 2.22, 2.24, 2.26, 2.33, 2.35, 2.41 and 2.43

In table 2.15, add the entry "(*d*) Increased productivity" under both *Expected accomplishments* and *Indicators of achievement*.

In tables 2.17, 2.19 and 2.26, add the entry "(*b*) Increased productivity" under both *Expected accomplishments* and *Indicators of achievement*.

In table 2.22, add the entry "(*e*) Increased productivity" under both *Expected accomplishments* and *Indicators of achievement*.

In tables 2.24, 2.33, 2.35, 2.41 and 2.43, add the entry "(*c*) Increased productivity" under both *Expected accomplishments* and *Indicators of achievement*.

Table 2.9

Add an expected accomplishment (*c*), reading: "(*c*) Improvement of conference service performance in New York and all other duty stations".

Add an indicator of achievement (*c*), reading:

"(*c*) (i) Optimization of use of technology in key processes;

"(ii) Updated proposals for workload standards, efficiency and related performance indicators;

"(iii) Issuance of updated bulletins of the Secretary-General that set out the relationship between Headquarters and conference-servicing units in other duty stations".

Table 2.13

Delete footnote a and the indicator thereto.

Add an indicator of achievement (iii), reading: "(iii) Presentation of documentation on time, with full respect for the six-week rule".

Tables 2.17, 2.19, 2.24, 2.26, 2.33, 2.35, 2.41 and 2.43

Under *Indicators of achievement, Performance measures*, replace "2004–2005: to be determined through a survey" with "2004–2005: 90 per cent (to be determined through a survey)".

Tables 2.15, 2.22, 2.31 and 2.39

Add an expected accomplishment (*c*), reading: "(*c*) Improvement in the timeliness of the production and distribution of parliamentary documentation in the six official languages of the Organization"; and, in table 2.22, reletter existing expected accomplishment (*c*) as (*d*).

Add an indicator of achievement (*c*) reading: "(*c*) The amount and percentage of parliamentary documentation produced and distributed in the six official languages of the Organization within established deadlines"; and, in table 2.22, reletter existing indicator of achievement (*c*) as (*d*).

Paragraph 2.33 (a) (ii) d.

Add the following activity element: "iii. Meetings of regional and other major groupings on the basis of existing practice, bearing in mind further consideration of this issue by the General Assembly during its fifty-eighth session, in accordance with its resolution 57/283 B".

Table 2.15

In indicator of achievement (*a*), after "relevant rules", add ", especially the six-week rule for submission of documents".

Table 2.17

Add an indicator of achievement (*b*), reading: "(*b*) Presentation of documentation on time, observing the six-week rule"; and insert "(*a*)" before the preceding indicator.

Paragraph 2.43

In the third sentence, after "Official Document System (ODS)", add ", without negatively affecting the quality of services provided and the quantity of documents required by Member States".

Paragraph 2.45 (b)

Add the following output:

"(vi) Meetings of regional and other major groupings on the basis of existing practice, bearing in mind further consideration of this issue by the General Assembly during its fifty-eighth session, in accordance with its resolution 57/283 B".

Paragraph 2.46

In the third sentence, after "amounting to $459,200", add ", without negatively affecting the quality of services provided and the quantity of documents required by Member States".

Tables 2.22, 2.31 and 2.39

In indicator of achievement (*a*), after "in accordance with relevant rules", add ", in particular regarding the six-week rule for issuance and distribution of parliamentary documentation simultaneously in the six official languages".

Tables 2.24, 2.33, 2.35, 2.41 and 2.43

Add an expected accomplishment (*b*), reading: "(*b*) Presentation of documentation on time, observing the six-week rule"; and insert "(*a*)" before the preceding expected accomplishment.

Add an indicator of achievement (*b*), reading: "(*b*) The degree of satisfaction expressed by Member States with the presentation of the documentation on time"; and insert "(*a*)" before the preceding indicator of achievement.

Section 3
Political affairs

Paragraph 3.7

After "for further change (A/57/387)", add "approved in paragraph 26 of General Assembly resolution 57/300".

Paragraph 3.16

In the fourth sentence, delete "the Security Council Committee established by resolution 661 (1990) concerning the situation between Iraq and Kuwait", and replace the figure 11 at the beginning of the sentence with the figure 10.

Table 3.13

At the end of indicator of achievement (i), add "through peaceful means".

In indicator of achievement (ii), after "in which", add "conflicts or situations of conflict exist, and in which", and delete ", including in cooperation with partners,".

Table 3.19

Objective 1

After "Non-Self-Governing Territories" at the end of expected accomplishment (*a*), add "in accordance with the relevant resolutions of the United Nations".

Add an indicator of achievement (*a*) (ii) reading: "(ii) The effectiveness of servicing provided to the Special Committee, its seminars and the General Assembly; the effectiveness of research and analytical studies and reports on conditions in the Territories; and the effectiveness of publicity campaigns"; and renumber indicator of achievement (*a*) as (*a*) (i).

Objective 2

After "Non-Self-Governing Territories" at the end of the objective, add "in accordance with the relevant resolutions of the United Nations".

Paragraph 3.44 (d)

Replace the text of subparagraph (*d*) of paragraph 3.44 with the following: "the administering Powers will cooperate with the Special Committee in the implementation of the relevant resolutions and decisions of the United Nations".

Paragraph 3.47

In the last sentence, after "international legitimacy", insert "and legality".

At the end of the paragraph, add "in accordance with relevant Security Council resolutions".

Table 3.21

In indicator of achievement (i), delete ", as evidenced by the voting on the relevant resolutions".

Table 3.25

In indicators of achievement (*b*) (i) and (ii), delete "and incontrovertible".

Section 4
Disarmament

Paragraph 4.39

Replace the seventh to ninth lines, after "mandated by the General Assembly:", with "compilation of information on measures taken by Member States and international organizations to prevent terrorists from acquiring weapons of mass destruction; making accessible to Member States information on national legislation on transfer of arms, military equipment and dual use of goods and technology;".

Section 5
Peacekeeping operations

Paragraph 5.5

Before the last sentence, insert the following sentence: "The Department will also continue to improve representation of underrepresented and unrepresented Member States in future recruitment".

In the fifth sentence, delete "also".

Table 5.9

In expected accomplishment (*c*) and indicator of achievement (*c*), after "gender issues", insert "and their geographical balance".

Table 5.12

In indicator of achievement (i), performance measures (target 2004–2005), replace "10 weeks" with "8 weeks".

In indicator of achievement (ii), performance measures (target 2004–2005), replace "80 per cent of benchmarks" with "100 per cent of benchmarks within expected time frame".

Table 5.14

In indicator of achievement (*b*) (ii), performance measures (target 2004–2005), replace "6 months" with "4 months".

Table 5.16

Reword indicator of achievement (*a*) (ii) to read: "An increase in the number of Member States with which the Secretariat has concluded standby arrangements".

Under indicator of achievement (*b*), reword the performance measures to read:

> "2000–2001: __ per cent of all personnel deployment needs met by utilizing the United Nations standby arrangements system and rapid deployment levels or the on-call list
>
> "Estimate 2002–2003: __ per cent of all personnel deployment needs met by utilizing the United Nations

standby arrangements system and rapid deployment levels or the on-call list

"Target 2004–2005: __ per cent of all personnel deployment needs met by utilizing the United Nations standby arrangements system and rapid deployment levels or the on-call list".

Paragraph 5.29

Delete paragraph 5.29 and renumber the subsequent paragraphs accordingly.

Former paragraph 5.39

Replace former paragraph 5.39 with the following: "The subprogramme is expected to achieve its objectives and expected accomplishments on the assumption that the Mine Action Service receives an adequate level of resources to respond to General Assembly and Security Council mandates."

Section 8
Legal affairs

Paragraph 8.3, last line

Before "registers and publishes treaties", insert as an objective "assists Member States regarding implementation of the international legal order for seas and oceans as well as the law of treaties;".

Paragraph 8.12

Rephrase the third task of the Division to read: "The Division will provide services for the effective application of the international judicial order of the sea and the ocean, thus helping in the understanding, acceptance and consequent application of the United Nations Convention on the Law of the Sea (1982) and the related agreements."

Paragraph 8.31 (b) (ix)

At the end of subparagraph (ix) of paragraph 8.31 (*b*), add "meeting the requests of Governments on questions relating to international public law through the relevant subsidiary organs in accordance with the existing practice".

Table 8.14

Under indicator of achievement (*a*) (iv), performance measures (2000–2001, estimate 2002–2003 and target 2004–2005), replace "1 week" with "1 week, observing the 6-week rule for documentation".

Paragraph 8.39 (a) (v)

Replace the title "Ad Hoc Committee on the Elaboration of Legal Instruments for the Prevention of Terrorist Acts" with "Ad Hoc Committee established in accordance with General Assembly resolution 51/210 of 17 December 1996".

Paragraph 8.39 (b) (i)

Under recurrent publications, include "and *Yearbook of the International Law Commission*, 2002, volumes I and II (General Assembly resolution 987 (X), judgements, advisory opinions, consultations and orders of the International Court of Justice)".

Table 8.18

Under indicator of achievement (*a*), add a subparagraph (ix) reading: "(ix) Higher number of international transactions and higher volume of international debt trade carried out under the regime of UNCITRAL".

Section 9
Economic and social affairs

Paragraph 9.3

In the first sentence, insert "and social" after "sustained economic".

Table 9.12

At the end of indicator of achievement (*a*) (iii), add "with the assistance of the Secretariat".

In the second line of expected accomplishment (*b*), after "that assist", replace "developing countries and countries with economies in transition" with "all countries".

At the end of indicator of achievement (*d*) (iii), add "taking into account the provisions of Article 101 of the Charter of the United Nations".

At the end of indicator of achievement (*f*), add "with the assistance of the Secretariat".

Table 9.16

Expected accomplishment (*a*) should read: "(*a*) Effective implementation of the outcomes of the World Summit on Sustainable Development at all levels, including through partnership initiatives according to the modalities agreed upon in the Commission on Sustainable Development that support implementation of the commitments agreed at the World Summit".

In expected accomplishment (*b*), delete "in all activities of sustainable development".

Replace indicator of achievement (*b*) (i) with the following: "(i) Progress in the achievement of United Nations objectives and goals on sustainable development, in particular those related to water, sanitation and human settlements, and the

10-year framework of programmes on sustainable consumption and production".

Replace expected accomplishment (*e*) with the following: "(*e*) Enabling the Commission to effectively review and facilitate partnerships that support the implementation of Agenda 21, the Programme for the Further Implementation of Agenda 21 and the Johannesburg Plan of Implementation".

Replace indicator of achievement (*e*) with the following: "(*e*) Provision of information and summary reports on partnerships in a transparent, participatory and credible manner, according to the procedures which were agreed upon in the Commission on Sustainable Development at its eleventh session".

In expected accomplishment (*f*), after "in particular", insert "North-South and".

Table 9.22

Add an expected accomplishment (*f*), reading: "(*f*) Improved access by Governments and international bodies to analytical tools, options and adequate methodologies regarding the linkages between political and economic issues and policies, such as economic sanctions, imposition of coercive economic measures, the relationship between disarmament and development and relevant aspects of post-conflict rehabilitation and reconstruction".

Add an indicator of achievement (*f*) and corresponding performance measures, reading:

> "(*f*) Feedback from Member States on their access to analytical tools, options and adequate methodologies regarding the linkages between political and economic issues and policies
>
> "*Performance measures:*
>
> "2000–2001: to be determined
>
> "Estimate 2002–2003: to be determined
>
> "Target 2004–2005: to be determined".

Table 9.30

In expected accomplishment (*a*), delete "multi-stakeholder".

Replace the text of expected accomplishment (*e*) with the following: "(*e*) Enhanced capacity of Governments, in particular that of developing countries and countries with economies in transition, to participate actively in the financing for development process".

Add an expected accomplishment (*f*), reading: "(*f*) Fuller engagement of Governments to ensure proper follow-up to the implementation of agreements and commitments reached at the Conference and to continue to build bridges between development, finance and trade organizations and initiatives within the framework of the holistic agenda of the Conference".

Add an indicator of achievement (*f*) and corresponding performance measures, reading:

> "(*f*) Feedback from Member States on the contribution of the subprogramme to the fuller engagement of Governments in the follow-up to the implementation of the outcome of the Conference
>
> "*Performance measures:*
>
> "2000–2001: not available
>
> "Estimate 2002–2003: to be determined
>
> "Target 2004–2005: to be determined".

Section 10
Least developed countries, landlocked developing countries and small island developing States

Paragraph 10.1

At the end of the paragraph, add the following sentence: "In addition, the programme is responsible for the provision of effective follow-up support to the further implementation of the Programme of Action for the Sustainable Development of Small Island Developing States, taking fully into account the relevant outcomes of the Plan of Implementation of the World Summit on Sustainable Development and General Assembly resolution 57/262 relating to the convening of an international meeting in Mauritius in 2004 to undertake a full and comprehensive review of the implementation of the Programme of Action for the Sustainable Development of Small Island Developing States."

Paragraph 10.4

In the first sentence, after "Transport Cooperation and the", insert "further implementation of the".

In the third sentence, after "Department of Economic and Social Affairs", insert ", the regional commissions and the South Centre" and delete "and the regional commissions".

Table 10.5

In the objective, replace "progress towards the achievement of" with "realize".

At the end of the expected accomplishment, add "and the relevant General Assembly resolutions".

Paragraph 10.14 (d)

Replace "political situation of", with "political situation in".

Section 11
United Nations support for the New Partnership for Africa's Development

Paragraph 11.16

Replace the text of external factor (*b*) with the following: "(*b*) the agencies of the United Nations system collaborate and coordinate their activities in a coherent and effective manner".

Delete "and" before external factor "(*d*)" and, at the end of the external factor, add "and (*e*) all stakeholders implement their financial pledges and other commitments to support the New Partnership for Africa's Development".

Table 11.10

In expected accomplishment (*a*), insert "academic institutions," before "the media".

Section 12
Trade and development

Replace, in every paragraph where the reference is made, "Millennium Development Goals" with "goals of the United Nations Millennium Declaration, as identified in section III of General Assembly resolution 55/2".

Paragraph 12.7

In the first sentence, replace "sectoral" with "national".

Paragraph 12.29 (a) (i)

Before subparagraph (i) of paragraph 12.29 (*a*), reading "United Nations Conference on Trade and Development", insert a subparagraph (i), reading "(i) General Assembly: substantive servicing of and inputs to the high-level dialogue on strengthening international economic cooperation for development through partnership, in accordance with the relevant provisions of Assembly resolution 57/250"; and renumber the subsequent subparagraphs accordingly.

Table 12.10

In indicator of achievement (*e*), after "technical cooperation projects", add "that improve the areas of trade, competition, enterprise development and investment".

Table 12.11

In indicator of achievement (*b*), replace "Increased number of cross-sectoral activities" with "Significant increase in the number of cross-sectoral activities".

Table 12.15

In indicator of achievement (*a*) (ii), replace "this area" with "the trade-related capacity-building area".

Paragraph 12.54 (a) (i)

At the end of subparagraph (i) of paragraph 12.54, after "multilateral trading system (2);", add "contributions to the report on the implementation of the International Conference on Financing for Development concerning trade".

Annex

Retain the output contained in document A/56/6, paragraph 11A.31 (*d*) (i), reading: "Advisory services to developing countries to enhance their capacity to attract foreign portfolio investment funds, and to optimize their developmental impact", and the output contained in A/56/6, paragraph 11A.43 (*a*) (i) *b*, reading: "Inputs to the report of the Secretary-General on the implementation of the Barbados Programme of Action for the Sustainable Development of Small Island Developing States".

Section 14
Environment

Paragraph 14.4

At the end of the second sentence, add "as well as at the seventh special session of the Governing Council of UNEP, held in Cartagena, and the World Summit on Sustainable Development".

Table 14.18

Indicator of achievement (*d*) should read: "(*d*) Increased cooperation with UNCTAD, WTO and the multilateral environmental agreement secretariats to promote the mutual support of trade and environmental policies".

Indicator of achievement (*e*) (i) should read: "(i) Increased number of companies adhering to the relevant provisions of the World Summit on Sustainable Development with regard to corporate responsibility and the Global Compact".

Paragraph 14.47 (b) (ii)

Replace "reports of surveys and studies on appropriate policies, practices and indicators to improve products and services from a life-cycle perspective" with "reports of surveys and studies on appropriate practices to improve products and services from a life-cycle perspective".

Replace "technical documents (including guidelines, case studies and training packages) on policies and practices related to life-cycle management of production processes, products and services" with "technical documents (including guidelines, case studies and training packages) on practices related to life-cycle management of production processes, products and services".

Paragraph 14.47 (c) (i)

After "provision of targeted technical advice to financial institutions to influence investment decisions favouring energy efficiency and renewable energy", add "and advanced fossil fuel technology".

Table 14.26

Under "Action taken to implement the recommendation", replace the paragraph reading:

> "It is expected that, after use of the indicative scale of contributions during a pilot phase in 2003, UNEP will analyse the accumulated experience and develop a new scale for the biennium 2004–2005, inviting all Member States to make adequate and predictable contributions"

with the paragraph reading:

> "The Governing Council/Global Ministerial Environment Forum of UNEP in 2004 will review the effectiveness of the system and take a decision, as appropriate".

Section 15
Human settlements

Table 15.10

Replace expected accomplishment (*i*) with the following: "(*i*) Increased awareness of and sensitivity to the plight of the urban poor, and enhanced cooperation and partnership in slum upgrading initiatives in line with the Millennium Development Goal 'cities without slums' ".

Insert in indicator of achievement (*i*) after "countries" "and other Habitat Agenda partners".

Delete in expected accomplishment (*j*) "renewable energy and".

Replace indicator of achievement (*j*) with the following: "(*j*) Number of countries working with UN-Habitat to promote access to diverse and efficient energy services as well as public and non-motorized transport".

Section 16
Crime prevention and criminal justice

Table 16.7

In indicator of achievement (*e*), replace "Number" with "Percentage" and adjust the performance measures accordingly.

Section 17
International drug control

Table 17.7

In indicator of achievement (ii), after "Full", add "and efficient".

Table 17.10

In indicator of achievement (*c*), replace "Timely receipt by" with "Availability of information for".

Table 17.12

Under indicator of achievement (*c*) (i), performance measures (target 2004–2005), replace "an average rating of 'fully satisfactory'" with "a 75 per cent rating 'fully satisfactory' ".

Delete indicator of achievement (*c*) (ii), and delete "(i)" in indicator of achievement (*c*) (i).

Under indicators of achievement (*f*) and (*h*), performance measures (target 2004–2005), replace "average survey rating of 'fully satisfactory' " with "a 75 per cent rating 'fully satisfactory' ".

Table 17.13

Expected accomplishment (*b*) should read: "(*b*) Enhanced treaty adherence, at the request of Governments".

Indicator of achievement (*b*) should read: "(*b*) Number of Member States that received support from the Secretariat to become parties to one of the three drug control treaties".

In indicator of achievement (*c*), insert ", with the assistance of the Secretariat," after "Governments".

Table 17.15

In indicators of achievement (*a*), (*b*), (*c*) and (*d*), insert ", with the assistance of the Secretariat," after "Member States".

Table 17.17

Objective 1

Replace the text of indicator of achievement (*a*) with the following: "(*a*) Enhanced assistance by UNDCP to Member States to establish or strengthen national strategies to reduce and eliminate illicit cultivation, including comprehensive measures such as programmes in alternative development, law enforcement and eradication".

In indicators of achievement (*b*), (*c*) and (*d*), insert ", with the assistance of the Secretariat," after "countries".

In indicator of achievement (*e*) (i), insert ", with the assistance of the Secretariat," after "Member States".

Objective 2

In indicator of achievement (*a*), insert ", with the assistance of the Secretariat," after "transit States".

Section 18
Economic and social development in Africa

Paragraph 18A.25

In the second sentence, after "This goal", insert ", while taking into account the new organization and programme of work of the Commission on Sustainable Development with regard to the regional implementation forum,".

Table 18A.10

Expected accomplishment (*a*) should read: "(*a*) Improved capacity of member States to design, implement and monitor development policies and strategies that address the needs of the poor, taking into account the goals of the Millennium Declaration and the priorities of NEPAD".

Table 18A.12

Expected accomplishment (*a*) should read: "(*a*) Increased awareness of policy makers of the interrelationship between and the need for integration of the three dimensions of sustainable development".

In indicator of achievement (*a*), replace "the number of citations of" with "the number of times reference was made to". In the performance measures, replace "citations" with "references".

Expected accomplishment (*c*) should read: "(*c*) Effective incorporation of the interrelated issues of food security, population, environment and human settlements into sustainable development policies".

Table 18A.18

In indicator of achievement (*a*), replace "trained by ECA" with "with the assistance of ECA".

Section 19
Economic and social development in Asia and the Pacific

Subprogramme 7

Replace the title with "Social development, including persistent and emerging issues".

Paragraph 19.7

Replace "least developed and landlocked countries as well as other developing countries" with "the developing countries and countries with economies in transition, particularly the least developed countries, landlocked developing countries and small island developing States".

Paragraph 19.40 (c) (ii)

At the beginning and at the end of the paragraph, replace "in the least developed countries and the countries with economies in transition" with "especially in the developing countries and countries with economies in transition, in particular the least developed countries, landlocked developing countries and small island developing States".

Paragraph 19.48 (c) (ii), (iii) and (iv)

After "energy efficiency", add ", advanced fossil fuel technology".

Table 19.22

In expected accomplishment (*a*), replace "social issues" with "social development issues".

Delete indicator of achievement (*a*) (i) and delete "(ii)" in indicator of achievement (*a*) (ii).

Section 21
Economic and social development in Latin America and the Caribbean

Table 21.10

Add, as indicators of achievement (*c*) and (*d*), indicators of achievement (*d*) and (*e*) of paragraph 17.9 of the medium-term plan for the period 2002–2005, as revised.

Table 21.12

Add, as indicators of achievement (iii), (iv) and (v), the indicators of achievement of paragraph 17.13 of the medium-term plan for the period 2002–2005, as revised.

Table 21.14

In expected accomplishment (*c*), after "Enhanced regional", insert "technical".

Add, as indicators of achievement (*c*) (ii) and (*c*) (iii), indicators of achievement (*a*) and (*b*) of paragraph 17.18 of the medium-term plan for the period 2002–2005, as revised; and renumber the existing indicator of achievement as (*c*) (i).

Table 21.16

In indicator of achievement (*c*), after "guidelines" insert ", with the assistance of ECLAC,".

Paragraph 21.60

Replace paragraph 21.60 with the following: "The subprogramme is expected to achieve its objectives and expected accomplishments on the assumption that: (*a*) gender mainstreaming in the region continues to receive full support from the countries of the region; and (*b*) member States continue to support the activities of the subprogramme."

Table 21.20

Add indicators of achievement (*a*) and (*c*) of paragraph 17.33 of the medium-term plan for the period 2002–2005, as revised, as indicators of achievement (*a*) (iv) and (*a*) (v). Add to the end of each "with the assistance or collaboration of ECLAC".

Table 21.22

Add indicator of achievement (*b*) of paragraph 17.37 of the medium-term plan for the period 2002–2005, as revised, as indicator of achievement (*b*) (ii); and renumber the existing indicator of achievement as (*b*) (i).

Table 21.24

Add expected accomplishment (*a*) of paragraph 17.41 and indicator of achievement (*a*) of paragraph 17.42 of the medium-term plan for the period 2002–2005, as revised, as expected accomplishment (*e*) and indicator of achievement (*e*).

Table 21.28

At the end of indicator of achievement (*a*) (ii), after "coding systems", add "with the assistance and/or collaboration of ECLAC".

Add indicators of achievement (*d*) and (*e*) of paragraph 17.50 of the medium-term plan for the period 2002–2005, as revised, as indicators of achievement (*a*) (iii) and (*a*) (iv).

Table 21.30

Add, as expected accomplishments and indicators of achievement (*c*), (*d*) and (*e*), expected accomplishments (*a*), (*c*) and (*d*) of paragraph 17.54 and indicators of achievement (*a*), (*b*) and (*c*) of paragraph 17.55 of the medium-term plan for the period 2002–2005, as revised.

Table 21.32

Add indicator of achievement (*b*) of paragraph 17.59 of the medium-term plan for the period 2002–2005, as revised, as indicator of achievement (*c*) (ii); and renumber indicator of achievement (*c*) (ii) as (*c*) (iii).

Section 23
Regular programme of technical cooperation

Paragraph 23.35

(*a*) (i) In the first of the advisory services, replace "especially in least developed, landlocked and island developing countries and countries with economies in transition" with "especially in the developing countries and countries with economies in transition, in particular least developed, landlocked and island developing countries";

(*e*) (i) In the tenth line, after "developing", insert "energy efficiency, advanced fossil fuel technology and";

(*e*) (ii) Replace "renewable energy" with "implementation of paragraph 20 of the Johannesburg Plan of Implementation, on energy";

(*f*) (i) In the first of the advisory services, replace "particularly of least developed, landlocked and island developing countries and countries with economies in transition" with "especially of the developing countries and countries with economies in transition, in particular least developed, landlocked and island developing countries";

(g) (iii) Replace the text with the following: "(iii) Field project on addressing social development, including emerging social issues".

Section 24
Human rights

Paragraph 24.3

Delete the final sentence.

Paragraph 24.4

Delete the final sentence.

Paragraph 24.5

Delete the final sentence.

Paragraph 24.6

The final sentence should read: "During the biennium, OHCHR will work towards the goal of increased effectiveness and improved management, taking into account relevant resolutions and decisions, as well as the recommendations already made in that regard."

Paragraph 24.8 (a) (ii)

Subparagraph (ii) of paragraph 24.8 (*a*) should read: "(ii) Under subprogramme 1, one new P-4 post to direct research and analysis in the implementation of the right to development, including strategies to achieve the Millennium Development Goals".

Paragraph 24.15 (e)

Delete subparagraph (*e*) of paragraph 24.15 and reletter the subsequent subparagraphs accordingly.

Paragraph 24.29

At the end of the paragraph, add the sentence: "Specific proposals in this regard will be submitted to the General Assembly in line with the decision contained in paragraph 4 of its resolution 54/244".

Table 24.11

Add an expected accomplishment (*e*) reading: "(*e*) Strengthened efforts that contribute to the elimination of racism, racial discrimination, xenophobia and related intolerance" and an indicator of achievement (*e*) reading: "(*e*) An increased number of activities carried out to fulfil the mandates".

Paragraph 24.39 (c)

Subparagraph (*c*) of paragraph 24.39 should read: "the establishment of 1 new P-4 post to strengthen capacity in the area of the implementation of the right to development, including strategies to achieve the Millennium Development Goals, by directing research and analysis".

Paragraph 24.58

The second sentence should read: "OHCHR establishes presences in the field as a response to decisions of relevant intergovernmental bodies of the United Nations, including the Commission on Human Rights, in accordance with their respective mandates."

In the fifth sentence, replace "creating a culture of human rights" with "creating human rights education and training".

Section 25
Protection of and assistance to refugees

Paragraph 25.4

In the last sentence, replace "programme of work will" with "work under the subprogramme on international protection will also".

Table 25.5

Replace expected accomplishment (*d*) with the following: "(*d*) Progress towards a durable solution through the formulation, facilitation and active implementation of voluntary repatriation operations in conditions of safety and dignity, followed up by the monitoring of the situations in countries to which the refugees return".

At the end of indicator of achievement (*d*), add "in the framework of voluntary repatriation operations".

Replace expected accomplishment (*e*) with the following: "(*e*) The promotion of local integration as a possible durable solution, where feasible, in accordance with the High Commissioner's strategy of development through local integration".

Under indicator of achievement (*f*) (ii), add the following:

> "*Performance measures:*
>
> "2000–2001: not available
>
> "Estimate 2002–2003: to be determined
>
> "Target 2004–2005: to be determined"

To indicator of achievement (*f*), add a subparagraph (iii), reading:

> "(iii) The extent to which tools to improve monitoring and oversight of resettlement have been adopted
>
> "*Performance measures:*
>
> "2000–2001: not available
>
> "Estimate 2002–2003: to be determined
>
> "Target 2004–2005: to be determined".

Add a full stop at the end of expected accomplishment (*c*) and add the text of expected accomplishment (*g*) to expected accomplishment (*c*).

Merge indicator of achievement (*g*) with indicator of achievement (*c*), producing two subparagraphs, as follows:

> "(*c*) (i) Decrease in the number of incidents related to sexual and gender-based violence reported to health clinics in refugee camps"
>
> "(ii) The number of UNHCR country operations plans reflecting the five priority categories and key sectors"

To indicator of achievement (*c*), add a subparagraph (iii) and performance measures, reading:

> "(iii) Development of measurable indicators corresponding to the High Commissioner's five commitments
>
> "*Performance measures:*
>
> "2000–2001: not available
>
> "Estimate 2002–2003: to be determined
>
> "Target 2004–2005: to be determined".

Table 25.6

Replace the text of indicator of achievement (*b*) (i) with the following: "(i) The number of initiatives incorporating quality of life of refugees and the surrounding local communities into national development plans".

In indicator of achievement (*b*) (ii), delete "against core standards".

In indicator of achievement (*b*) (iii), replace "microfinance" with "self-reliance".

In expected accomplishment (*d*), replace "protect" with "assist" and at the end of the expected accomplishment, add "through the provision of sufficient voluntary contributions by the international community, in a spirit of burden-sharing and international solidarity".

In indicator of achievement (*d*) (ii), delete "as well as in the development through local integration strategy".

Under indicator of achievement (*d*), add a subparagraph (iii), reading: "(iii) Increase in the level of voluntary contributions provided by the international community". To this indicator of achievement, add "Performance measures: to be determined".

Section 28
Public information

Paragraph 28.3

Replace the first two sentences with the following sentence: "The overarching mandate of the Department of Public Information is contained in General Assembly resolution 13 (I) of 13 February 1946, and its primary mission is to provide, through its outreach activities, accurate, impartial, comprehensive and timely information to the public on the tasks and responsibilities of the United Nations in order to strengthen international support for the activities of the Organization with the greatest transparency, respecting existing mandates and in line with regulation 5.6 of the Regulations and Rules Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation, to focus its message and better concentrate its efforts and, as a function of performance management, to match its programmes to the needs of its target audiences, on the basis of improved feedback and evaluation mechanisms, as set out in General Assembly resolution 57/130 B".

In the last sentence, after "has been formulated,", insert "as welcomed by the Committee on Information".

Paragraph 28.4

The second sentence should read: "Its core message, with the medium-term plan priorities as the main guide, and taking into consideration General Assembly resolution 55/2 (the Millennium Declaration), will focus on the eradication of poverty, conflict prevention, sustainable development, human rights, the HIV/AIDS epidemic, the battle against international terrorism and the needs of the African continent (see resolution 57/130 B), as well as on international cooperation, the transfer of technology and transparency in international trade".

Paragraph 28.11

After "in Western Europe" at the end of the third sentence, add "in accordance with resolutions 57/130 B and 57/300, in particular paragraphs 44 and 15 respectively".

Table 28.7

At the end of the objective, add "and assessing that impact through annual programme reviews".

At the beginning of the last paragraph under *Indicators of achievement*, insert "(*d*)"; and at the end of the paragraph, add "in the implementation of the results of the Department's annual programme impact reviews".

Paragraph 28.29

In the first sentence, delete "and established by the Secretary-General".

In the second sentence, replace ", using the Millennium Declaration as its guide" with "of the medium-term plan and of the Millennium Declaration (General Assembly resolution 55/2)".

Paragraph 28.30

The second sentence should read: "Under the guidance of the Information Centres Service at Headquarters, the United Nations information centres and information components and regional hubs, as applicable, will play a significant role in disseminating information about the work of the Organization to the peoples of the world, including the areas outlined in the United Nations Millennium Declaration, with the information centres as the 'field voice' of the Department of Public Information, and will work through local intermediaries to promote public awareness of and mobilize support for the work of the United Nations at the local level, bearing in mind that information in the local languages has the strongest impact on the local populations."

Paragraph 28.31

After "regional information hubs in strategic locations" in the first sentence, insert "in accordance with resolutions 57/130 B and 57/300, in particular paragraphs 44 and 15 respectively".

Paragraph 28.33

Delete the last sentence.

Table 28.10

In the objective, after "on priority issues" add "of the medium-term plan and the Millennium Declaration (General Assembly resolution 55/2)".

In expected accomplishment (*a*), replace "on priority issues" with "in accordance with priorities established by the General Assembly".

Paragraph 28.50

At the end of the first sentence, replace "the Member States" with "intergovernmental organs in collaboration with the Member States".

Table 28.18

Insert "(*a*)" before the expected accomplishment and the indicator of achievement. Add the following to indicator of achievement (*a*): "; the number of hits on the United Nations web site, sorted by official language, and the number of radio programmes broadcast, by language".

Add an expected accomplishment (*b*), reading: "(*b*) Timeliness in the submission of photographic and video material".

Add an indicator of achievement (*b*), reading: "(*b*) Period of time within which photographic and video material is available to news organizations and media after an event takes place".

Table 28.22

At the end of indicator of achievement (*a*), add "; number of joint and/or coordinated projects by the Dag Hammarskjöld Library and other United Nations libraries; and number of hits on the Dag Hammarskjöld Library web sites, sorted by official language".

Paragraph 28.66

After "on priority issues", replace the rest of the text with the following: "using the priorities of the medium-term plan as the main guide and taking into consideration General Assembly resolution 55/2 (the Millennium Declaration)".

Table 28.24

In the objective, replace "using the Millennium Declaration as a guide" with "using the priorities of the medium-term plan and taking into consideration General Assembly resolution 55/2 (the Millennium Declaration)".

Add the following to the indicator of achievement: "; the number of readers of the *UN Chronicle*, sorted by official language; and the number of times articles appearing in the *UN Chronicle* are cited in newspapers and journals".

Section 29A
Office of the Under-Secretary-General for Management

Table 29A.5

In indicator of achievement (*c*), insert "efficient" before "support services".

Table 29A.8

In objective 1, replace "Secretary-General's vision for reform" with "reforms in the United Nations".

Under objective 1, add an indicator of achievement (ii) reading: "(ii) Level of satisfaction expressed by the intergovernmental organs" and a corresponding performance measure reading: "Periodic surveys among Member States"; and renumber the existing indicator of achievement as "(i)".

Table 29A.10

At the end of the expected accomplishment, add "related to disciplinary affairs, claims and appeals of the staff".

Section 29B
Office of Programme Planning, Budget and Accounts

Table 29B.5

In the objective, after "procedures", insert "contained in the Financial Regulations and Rules and the Regulations and Rules Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation".

Table 29B.8

Objective 1

Add an expected accomplishment (*b*) reading: "(*b*) Better implementation of and compliance by departments and offices of the Secretariat with the Financial Regulations and Rules of the United Nations and the Regulations and Rules Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation"; and add "(*a*)" before the existing expected accomplishment.

Add an indicator of achievement (*b*) reading: "(*b*) Fewer findings by the oversight bodies of non-compliance with the Financial Regulations and Rules of the United Nations and the Regulations and Rules Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation and other approved budgetary procedures and guidelines for the regular budget, peacekeeping budgets, extrabudgetary resources and budgets of the Tribunals". Indicators of achievement (*a*) and (*b*) become indicators of achievement (*a*) (i) and (ii).

Objective 2

In indicator of achievement (*a*), after "travel claims", add "payroll, insurance, invoices and claims processing"; and add an indicator of achievement (*c*) reading: "(*c*) The availability of financial reports by the required dates".

Table 29B.10

Under objective 1, change indicator of achievement (*b*) to (*b*) (i), and add an indicator of achievement (*b*) (ii) reading: "(ii) Availability of budgetary documents by the required dates".

Under objective 1, add an expected accomplishment (*c*) reading: "(*c*) Improved compliance with regulation 5.6 of the Regulations and Rules Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation"; and add an indicator of achievement (*c*), reading: "(*c*) Number of sections of the proposed programme budget for the biennium 2006–2007 that reflect a number of outputs deleted because they are obsolete, irrelevant or of marginal usefulness".

Paragraph 29B.31

In subparagraph (*a*) (ii) after "measures to encourage payment of assessed contributions and related issues", add "if mandated".

Section 29C
Office of Human Resources Management

Table 29C.9

At the end of the expected accomplishment, add ", taking into account Article 101 of the Charter".

At the end of indicator of achievement (ii), add ", taking into account Article 101 of the Charter".

Under indicator of achievement (iii), performance measures, before "Number of unrepresented Member States", add a performance measure, reading: "Level of under-representation of Member States: to be determined".

Paragraph 29C.22

In subparagraph (*a*) (ii), after "gender balance," add ", geographical representation,".

At the end of subparagraph (*b*) (i) *e*., add "and taking into account planning for the replacement of retiring staff".

Section 29D
Office of Central Support Services

Table 29D.5

At the end of expected accomplishment (*a*), add ", improving the application of the Financial Regulations and Rules of the United Nations and the Regulations and Rules Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation".

In indicator of achievement (*a*) (iii), replace "Full" with "Effective and efficient".

Table 29D.12

The objective should read: "To ensure efficient, effective and diversified procurement opportunities and high-quality procurement services for the Organization."

Add an expected accomplishment (*c*) reading: "(*c*) Improvement in efforts to diversify United Nations suppliers", and a corresponding indicator of achievement (*c*) reading: "(*c*) Number of new suppliers registered".

Section 29E
Administration, Geneva

Section 29F
Administration, Vienna

Section 29G
Administration, Nairobi

Table 29E.12

At the end of expected accomplishment (*f*), add "and improvement in efforts to diversify United Nations suppliers".

Paragraph 29F.20

At the end of subparagraphs (*a*) and (*b*), add "observing the principle of geographical representation, taking into account Article 101 of the Charter".

Table 29G.12

At the end of expected accomplishment (*f*), add "and improvement in efforts to diversify United Nations suppliers".

Tables 29E.6 (Objective), 29E.8 (Objective 1), 29F.7 (Objective), 29F.9 (Objective 1), 29G.6 (Objective), 29G.8 (Objective 1)

At the end of the objectives, add ", with the goal of achieving greater efficiency and effectiveness of operations".

Add an indicator of achievement (ii) reading: "(ii) Savings achieved from efficiency measures" and renumber the existing indicator of achievement as (i).

Section 30
Internal oversight

Table 30.8

In indicator of achievement (*a*), after "non-compliance" add "by programme managers".

In expected accomplishment (*b*), after "the Organization" add "and increased efficiency".

In indicator of achievement (*b*), replace "audit recommendations calling for formal" with "audits on".

Indicator of achievement (*c*) should become (*c*) (i); add an indicator (*c*) (ii), reading: "(ii) The level of recovery of erroneous or unauthorized expenditures"; and add under the corresponding performance measures "To be determined".

In indicator of achievement (*d*), delete "and assignments".

Table 30.10

At the end of expected accomplishment (*a*), add "in accordance with the mandates".

Table 30.12

Add an indicator of achievement (iii) reading:

"(iii) Number of cases resolved

"*Performance measures:*

"To be determined".

Annex, column headed "Reason for discontinuation"

In the entry for paragraph 28.22 (*a*) (ii) *b*., after "Organization" insert "included in the medium-term plan and to enhance support for self-evaluation by other departments and offices".

Section 31
Jointly financed administrative activities

Table 31.9

Under indicator of achievement (*a*), add the following:

"*Performance measures:*

"2000–2001: to be determined

"Estimate 2002–2003: to be determined

"Target 2004–2005: to be determined".

Table 31.24

Under objective 1, add an expected accomplishment (*b*) reading: "(*b*) Ensuring adequate coordination among United Nations agencies to provide for the safety and security of staff"; and reletter the existing expected accomplishment as (*a*).

Add an indicator of achievement (*b*), reading:

"(*b*) (i) Reduction in the number of preventable security incidents in the field

"(ii) Increase in attendance at joint security training sessions run by the United Nations Security Coordinator in the field

"(iii) Compliance by all resident coordinators/humanitarian coordinators with their responsibilities as 'designated officials' for security";

and reletter the existing indicator of achievement as (*a*).

Annex II

Staffing table for 2004 and 2005

Category	*2004*	*2005*
Professional and above		
Deputy Secretary-General	1	1
Under-Secretary-General	27	27
Assistant Secretary-General	21	21
D-2	84	84
D-1	253	253
P-5	706	706
P-4/3	2 341	2 342
P-2/1	477	477
Subtotal	**3 910**	**3 911**
General Service		
Principal level	274	274
Other level	2 673	2 673
Subtotal	**2 947**	**2 947**
Other		
Security Service	218	218
Local level	1 677	1 677
Field Service	185	185
Trades and Crafts	181	181
Subtotal	**2 261**	**2 261**
Total	**9 118**	**9 119**

Annex III

New posts approved in the context of the review of the initial proposal of the Secretary-General

Section 1. Overall policy-making, direction and coordination	
Office of the Ombudsman	1 D-1
Office of the Director-General, United Nations Office at Nairobi	1 P-5
Section 3. Political affairs	
Office of the United Nations Special Coordinator for the Middle East Peace Process	1 P-3, 1 Security Service
Section 4. Disarmament	
Weapons of mass destruction	1 P-5
Regional disarmament	1 D-1
Section 8. Legal affairs	
Progressive harmonization and unification of the law of international trade	1 D-2, 1 P-5, 1 P-2
Section 9. Economic and social affairs	
Executive direction and management	1 Assistant Secretary-General, 1 P-5
Economic and Social Council support and coordination	1 P-5
Population	1 P-5, 1 P-3
Financing for development	1 P-5, 1 P-4, 1 P-3
Secretariat of the Permanent Forum on Indigenous Issues	1 P-3, 1 P-2
Section 10. Least developed countries, landlocked developing countries and small island developing States	1 D-1
Section 12. Trade and development	
Investment, enterprise development and technology	1 P-4
Programme support	1 D-2
Section 14. Environment	
Executive direction and management	1 P-5
Section 15. Human settlements	
Shelter and sustainable human settlements development	1 P-4
Monitoring the Habitat Agenda	1 P-5
Section 16. Crime prevention and criminal justice	1 P-4
Section 19. Economic and social development in Asia and the Pacific	
Poverty and development	1 P-2
Statistics	1 P-2
Environment and sustainable development	1 P-2
Social development, including emerging social issues	1 P-2
Section 21. Economic and social development in Latin America and the Caribbean	
Environment and human settlements	1 P-2
Subregional activities in Mexico and Central America	1 P-4
Section 24. Human rights	
Right to development, research and analysis	1 P-4
Supporting human rights bodies and organs	1 P-5, 1 P-4
Advisory services, fact-finding and field activities	1 D-1, 1 P-5, 1 P-4
Section 26. Palestine refugees	1 D-1, 1 P-5, 1 P-4, 2 P-3
Section 27. Humanitarian assistance	
Complex emergencies	1 P-4, 1 P-3
Disaster relief	1 P-3
Section 29. Management and central support services	
Management services, Nairobi	1 General Service (Local level)
Programme planning, budget and accounts, Nairobi	1 P-4, 5 General Service (Local level)
Human resources management, Nairobi	2 P-4, 1 P-3, 1 P-2, 5 General Service
Total	**62**

Annex IV

Conversions of temporary resources to established posts

Section 2. General Assembly affairs and conference services	
Interpretation, meeting and publishing services, New York	2 P-5, 3 P-4, 5 P-3
Section 3. Political affairs	
Security Council affairs	1 P-5, 1 P-3, 1 P-2/1, 5 General Service (Other level)
Section 7. International Court of Justice	
The Registry	5 P-2/1
Section 10. Least developed countries, landlocked developing countries and small island developing States	1 Under-Secretary-General, 1 D-2, 2 P-5, 3 P-4, 1 P-3, 5 General Service (Other level)
Section 11. United Nations support for the New Partnership for Africa's Development	
Mobilization of international support	1 Under-Secretary-General, 1 D-1, 1 P-4, 2 P-3, 2 General Service (Other level)
Section 24. Human rights	
Advisory services, fact-finding and field activities	1 P-5, 1 P-4, 3 P-3
Section 29C. Human Resources Management	
Office of Operational Services	1 P-3, 1 P-2, 2 General Service (Other level)
Total	**52**

RESOLUTIONS 58/271 A to C

Adopted at the 79th plenary meeting, on 23 December 2003, without a vote, on the recommendation of the Committee (A/58/573, para. 79)[107]

58/271. Programme budget for the biennium 2004–2005

A

BUDGET APPROPRIATIONS FOR THE BIENNIUM 2004–2005

The General Assembly

Resolves that, for the biennium 2004–2005:

1. Appropriations totalling 3,160,860,300 United States dollars are hereby approved for the following purposes:

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[107] The draft resolutions recommended in the report were introduced by the Chairman of the Committee.

Section		*Amount (Thousands of United States dollars)*
	Part I. *Overall policy-making, direction and coordination*	
1.	Overall policy-making, direction and coordination	58 504.4
2.	General Assembly affairs and conference services	535 380.5
	Subtotal	**593 884.9**
	Part II. *Political affairs*	
3.	Political affairs	239 595.4
4.	Disarmament	18 048.2
5.	Peacekeeping operations	86 124.2
6.	Peaceful uses of outer space	5 484.4
	Subtotal	**349 252.2**
	Part III. *International justice and law*	
7.	International Court of Justice	31 537.9
8.	Legal affairs	38 707.5
	Subtotal	**70 245.4**
	Part IV. *International cooperation for development*	
9.	Economic and social affairs	137 739.4
10.	Least developed countries, landlocked developing countries and small island developing States	4 231.9
11.	United Nations support for the New Partnership for Africa's Development	9 344.0
12.	Trade and development	106 241.8
13.	International Trade Centre UNCTAD/WTO	23 472.2
14.	Environment	10 530.1
15.	Human settlements	15 536.2
16.	Crime prevention and criminal justice	9 392.8
17.	International drug control	20 006.9
	Subtotal	**336 495.3**
	Part V. *Regional cooperation for development*	
18.	Economic and social development in Africa	95 617.0
19.	Economic and social development in Asia and the Pacific	66 644.0
20.	Economic development in Europe	50 196.8
21.	Economic and social development in Latin America and the Caribbean	80 804.0
22.	Economic and social development in Western Asia	52 480.4
23.	Regular programme of technical cooperation	42 871.5
	Subtotal	**388 613.7**
	Part VI. *Human rights and humanitarian affairs*	
24.	Human rights	56 794.5
25.	Protection of and assistance to refugees	56 731.9
26.	Palestine refugees	33 851.8
27.	Humanitarian assistance	23 292.3
	Subtotal	**170 670.5**
	Part VII. *Public information*	
28.	Public information	155 869.9
	Subtotal	**155 869.9**

Section			*Amount (Thousands of United States dollars)*
	Part VIII. *Common support services*		
29.	Management and central support services		516 168.9
		Subtotal	**516 168.9**
	Part IX. *Internal oversight*		
30.	Internal oversight		23 227.2
		Subtotal	**23 227.2**
	Part X. *Jointly financed administrative activities and special expenses*		
31.	Jointly financed administrative activities		22 990.2
32.	Special expenses		79 455.1
		Subtotal	**102 445.3**
	Part XI. *Capital expenditures*		
33.	Construction, alteration, improvement and major maintenance		58 651.3
		Subtotal	**58 651.3**
	Part XII. *Staff assessment*		
34.	Staff assessment		382 270.7
		Subtotal	**382 270.7**
	Part XIII. *Development Account*		
35.	Development Account		13 065.0
		Subtotal	**13 065.0**
		Total	**3 160 860.3**

2. The Secretary-General shall be authorized to transfer credits between sections of the budget with the concurrence of the Advisory Committee on Administrative and Budgetary Questions;

3. The total net provision made under the various sections of the budget for contractual printing shall be administered as a unit under the direction of the United Nations Publications Board;

4. In addition to the appropriations approved under paragraph 1 above, an amount of 125,000 dollars is appropriated for each year of the biennium 2004–2005 from the accumulated income of the Library Endowment Fund for the purchase of books, periodicals, maps and library equipment and for such other expenses of the library at the Palais des Nations in Geneva as are in accordance with the objects and provisions of the endowment.

B

INCOME ESTIMATES FOR THE BIENNIUM 2004–2005

The General Assembly

Resolves that, for the biennium 2004–2005:

1. Estimates of income other than assessments on Member States totalling 415,291,800 United States dollars are approved as follows:

Income section	*Amount (Thousands of United States dollars)*
1. Income from staff assessment	386 491.7
2. General income	24 043.2
3. Services to the public	4 756.9
Total	**415 291.8**

2. The income from staff assessment shall be credited to the Tax Equalization Fund in accordance with the provisions of General Assembly resolution 973 (X) of 15 December 1955;

3. Direct expenses of the United Nations Postal Administration, services to visitors, the sale of statistical products, catering operations and related services, garage operations, television services and the sale of publications not provided for under the budget appropriations shall be charged against the income derived from those activities.

C

FINANCING OF APPROPRIATIONS FOR THE YEAR 2004

The General Assembly

Resolves that, for the year 2004:

1. Budget appropriations consisting of 1,580,430,150 United States dollars, being half of the appropriation of 3,160,860,300 dollars approved for the biennium 2004–2005 by the General Assembly in paragraph 1 of resolution A above, plus 76,909,100 dollars, being the increase in revised appropriations for the biennium 2002–2003 approved by the Assembly in its resolutions 57/311 of 18 June 2003 and 58/267 A of 23 December 2003, shall be financed in accordance with regulations 3.1 and 3.2 of the Financial Regulations of the United Nations,[108] as follows:

(*a*) 8,007,450 dollars, consisting of 14,400,050 dollars, being the net of half of the estimated income other than staff assessment approved for the biennium 2004–2005 under resolution B above, less 6,392,600 dollars, being the decrease in income other than staff assessment for the biennium 2002–2003;

(*b*) 1,649,331,800 dollars, being the assessment on Member States in accordance with its resolution 58/1 B of 23 December 2003;

2. There shall be set off against the assessment on Member States, in accordance with the provisions of General Assembly resolution 973 (X) of 15 December 1955, their respective share in the Tax Equalization Fund in the total amount of 213,298,950 dollars, consisting of:

(*a*) 193,245,850 dollars, being half of the estimated staff assessment income approved for the biennium 2004–2005 in resolution B above;

(*b*) 20,053,100 dollars, being the increase in income from staff assessment for the biennium 2002–2003 approved by the Assembly in its resolution 58/267 B of 23 December 2003.

RESOLUTION 58/272

Adopted at the 79th plenary meeting, on 23 December 2003, without a vote, on the recommendation of the Committee (A/58/573, para. 79)[109]

58/272. Special subjects relating to the proposed programme budget for the biennium 2004–2005

The General Assembly,

I

Information and communication technology strategy

Recalling its resolution 57/304 of 15 April 2003,

Having considered the report of the Secretary-General entitled "Information and communication technology strategy: implementation of General Assembly resolution 57/304 of 15 April 2003",[110]

Having also considered the report of the Joint Inspection Unit entitled "Managing information in the United Nations system organizations: management information systems",[111] the comments of the Secretary-General and those of the United Nations System Chief Executives Board for Coordination thereon[112] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[113]

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[108] ST/SGB/2003/7.

[109] The draft resolution recommended in the report was submitted by the Chairman of the Committee.

[110] A/58/377.

[111] See A/58/82.

1. *Takes note* of the report of the Secretary-General,[110] and welcomes the steps being taken to address all requests contained in its resolution 57/304;

2. *Reiterates* the need to indicate the return on investment for planned and proposed major projects in terms that are as quantitative as possible;

3. *Takes note* of the report of the Joint Inspection Unit,[111] the comments of the Secretary-General and those of the United Nations System Chief Executives Board for Coordination thereon[112] and the related report of the Advisory Committee on Administrative and Budgetary Questions;[113]

II

Comprehensive review of the post structure of the United Nations Secretariat

Recalling its resolution 56/253 of 24 December 2001 and its decision 57/574 of 20 December 2002,

Takes note of the report of the Secretary-General on the comprehensive review of the post structure of the United Nations Secretariat[114] and the related report of the Advisory Committee on Administrative and Budgetary Questions;[115]

III

Request for a subvention to the United Nations Institute for Disarmament Research

Having considered the note by the Secretary-General on the request for a subvention to the United Nations Institute for Disarmament Research resulting from the recommendations of the Board of Trustees of the Institute on the work programme of the Institute for 2004[116] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[117]

1. *Approves* the request for a subvention by the General Assembly of 227,600 United States dollars for the United Nations Institute for Disarmament Research for 2004 from the approved regular budget of the United Nations, on the understanding that no additional appropriation would be required under section 4, Disarmament, of the programme budget for the biennium 2004–2005;[118]

2. *Requests* the Secretary-General to report to the General Assembly at the main part of its fifty-ninth session on the continuing need for a subvention to the Institute, taking into account previous reports and any relevant decisions on the question of subventions;

IV

Improving and modernizing the conference facilities at the United Nations Office at Nairobi in order to accommodate adequately major meetings and conferences

Recalling its resolutions 55/222 of 23 December 2000, 56/242 of 24 December 2001 and 57/283 B of 15 April 2003,

Having considered the report of the Secretary-General on improving and modernizing the conference facilities at the United Nations Office at Nairobi in order to accommodate adequately major meetings and conferences[119] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[120]

1. *Authorizes* the modernization of the existing conference facilities at the United Nations Office at Nairobi;

2. *Decides* to appropriate related resources under section 33, Construction, alteration, improvement and major maintenance, of the proposed programme budget for the biennium 2004–2005,[121] to finance the modernization of the existing conference facilities at the United Nations Office at Nairobi in the amount of 1,032,000 United States dollars as a charge against the contingency fund;

3. *Also decides* to approve the utilization of an amount of 1,020,000 dollars for the modernization of the existing conference facilities at the United Nations Office at Nairobi, to be financed within the available balance of the construction-in-progress account;

4. *Requests* the Secretary-General to report to the General Assembly on the experience gained from operating the modernized conference facilities of the United Nations Office at Nairobi during the biennium 2006–2007;

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[112] See A/58/82/Add.1.

[113] See A/58/389.

[114] A/58/398.

[115] See A/58/7/Add.5. For the final text, see *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 7A*.

[116] A/C.5/58/3.

[117] A/58/7/Add.4. For the final text, see *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 7A*.

[118] A/58/6 (Sect. 4). For the final text, see *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 6*.

[119] A/58/530.

[120] A/58/7/Add.6. For the final text, see *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 7A*.

[121] A/58/6 (Sect. 33). For the final text, see *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 6*.

V

Special political missions: estimates in respect of matters of which the Security Council is seized

Having considered the report of the Secretary-General on the estimates in respect of special political missions, good offices and other political initiatives authorized by the General Assembly and/or the Security Council[122] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[123]

1. *Takes note* of the report of the Secretary-General on estimates in respect of special political missions, good offices and other political initiatives authorized by the General Assembly and/or the Security Council;[122]

2. *Endorses* the observations and recommendations of the Advisory Committee on Administrative and Budgetary Questions contained in its report,[123] subject to the provisions of the present resolution;

3. *Decides* not to endorse the observation of the Advisory Committee contained in paragraph 26 of its report;

4. *Requests* the Secretary-General to further explore synergies and complementarities between various missions and other relevant entities of the United Nations in order to ensure efficiency and optimum use of resources and to report thereon in the context of future budget proposals on special political missions;

5. *Also requests* the Secretary-General to expand the treatment of larger missions with a view to providing a level of information similar to that contained in the proposed budgets of peacekeeping operations, taking into account relevant resolutions of the General Assembly;

6. *Approves* a charge of 133,119,500 United States dollars for the 17 special political missions presented in table 1, section II, of the report of the Secretary-General,[122] emanating from decisions taken or to be taken by the Security Council, against the provision of 169,431,700 dollars for special political missions under section 3, Political affairs, of the proposed programme budget for the biennium 2004–2005;[124]

7. *Also approves* a further charge of 2,172,400 dollars for the United Nations Mission in Côte d'Ivoire for the period from 1 January to 4 February 2004, consequent to the adoption of resolution 58/275 of 23 December 2003, against the provision of 169,431,700 dollars for special political missions under section 3, Political affairs, of the proposed programme budget for the biennium 2004–2005;

8. *Further approves* a charge of 7,185,000 dollars for the three special political missions presented in table 1, section I, of the report of the Secretary-General,[122] emanating from decisions taken or to be taken by the General Assembly, against the provision of 169,431,700 dollars for special political missions under section 3, Political affairs, of the proposed programme budget for the biennium 2004–2005;

VI

Joint Inspection Unit

1. *Approves* the gross budget for the Joint Inspection Unit for 2004 in the amount of 4,900,800 United States dollars;[125]

2. *Decides* to take action on the gross budget for the Joint Inspection Unit for 2005 in the context of the first performance report on the programme budget for the biennium 2004–2005;

VII

International Civil Service Commission

Approves a gross budget for the International Civil Service Commission for the biennium 2004–2005 in the amount of 14,724,100 United States dollars;[125]

VIII

Office of the United Nations Security Coordinator

Approves the gross budget for the Office of the United Nations Security Coordinator for the biennium 2004–2005 in the amount of 86,375,800 United States dollars;[125]

IX

Revised estimates resulting from resolutions and decisions of the Economic and Social Council at its substantive session of 2003

1. *Takes note* of the report of the Secretary-General on the revised estimates resulting from resolutions and decisions adopted by the Economic and Social Council at its substantive and resumed substantive sessions of 2003[126] and the related

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[122] A/C.5/58/20.

[123] A/58/7/Add.18. For the final text, see *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 7A*.

[124] A/58/6 (Sect. 3). For the final text, see *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 6*.

[125] See A/58/6 (Sect. 31) (for the final text, see *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 6*), A/58/528, and A/58/7/Add.11 (for the final text, see *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 7A*).

[126] A/C.5/58/10.

report of the Advisory Committee on Administrative and Budgetary Questions;[127]

2. *Notes* that additional financial requirements for the meeting of the Committee of Experts on Public Administration in the amount of 58,300 United States dollars are no longer required;

3. *Invites* the Economic and Social Council to review its decision 2003/264 of 23 July 2003 regarding the arrangement of the Social Forum, invites the Council, in this regard, to hold the Social Forum immediately before the sessions of the Subcommission on the Promotion and Protection of Human Rights, and decides that the related resources of 12,800 dollars will be a charge against the contingency fund;

4. *Also invites* the Economic and Social Council to review its decision 2003/269 of 23 July 2003 with a view to examining the possibility that additional meetings of the Commission on Human Rights may not be required in connection with its sixtieth session, requests the Secretary-General to provide such conference services as might be required consequent to Council decision 2003/269, as reviewed, and to report to the General Assembly at its fifty-ninth session on the related expenditures in the context of his first performance report on the programme budget for the biennium 2004–2005, and decides that an amount of 193,800 dollars shall be set aside in the contingency fund in the event that additional requirements arise from providing such services;

X

Administrative expenses of the United Nations Joint Staff Pension Fund

Having considered the report of the Standing Committee of the United Nations Joint Staff Pension Board on the administrative expenses of the United Nations Joint Staff Pension Fund,[128] the report of the Secretary-General on the administrative and financial implications arising from the report of the Standing Committee of the United Nations Joint Staff Pension Board[129] and the related reports of the Advisory Committee on Administrative and Budgetary Questions,[130]

1. *Concurs* with the recommendations contained in the reports of the Advisory Committee on Administrative and Budgetary Questions on the administrative expenses of the United Nations Joint Staff Pension Fund[131] and on the administrative and financial implications arising from the report of the Standing Committee of the United Nations Joint Staff Pension Board;[132]

2. *Approves* expenses, chargeable directly to the Fund, totalling 80,770,800 United States dollars net for the biennium 2004–2005 and no change in the initial appropriation of 74,384,900 dollars net for the biennium 2002–2003 for the administration of the Fund;

3. *Also approves* an additional amount of 1,504,500 dollars above the level of resources set out in section 1, Overall policy-making, direction and coordination, of the proposed programme budget for the biennium 2004–2005[133] as the United Nations share of the cost of the administrative expenses of the central secretariat of the Fund;

4. *Authorizes* the United Nations Joint Staff Pension Board to supplement the voluntary contributions to the Emergency Fund for the biennium 2004–2005 by an amount not exceeding 200,000 dollars;

XI

Special political missions

Notes that an unallocated balance of 26,954,800 United States dollars remains against the provision of 169,431,700 dollars for special political missions;[134]

XII

Proposed programme budget for the International Trade Centre UNCTAD/WTO

Having considered the programme budget proposals for the International Trade Centre UNCTAD/WTO for the biennium 2004–2005[135] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[136]

Decides to approve resources in the amount of 23,472,200 United States dollars proposed for the biennium 2004–2005 under section 13, International Trade Centre UNCTAD/WTO, of the proposed programme budget for the biennium 2004–2005;[135]

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[127] A/58/7/Add.8. For the final text, see *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 7A*.

[128] A/58/214 and Corr.1.

[129] A/C.5/58/27.

[130] A/58/7/Add.9 and A/58/7/Add.19. For the final texts, see *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 7A*.

[131] A/58/7/Add.9. For the final text, see *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 7A*.

[132] A/58/7/Add.19. For the final text, see *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 7A*.

[133] A/58/6 (Sect. 1). For the final text, see *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 6*.

[134] See A/C.5/58/33.

[135] A/58/6 (Sect. 13) and Add.1. For the final text, see *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 6*.

[136] A/58/7/Add.7. For the final text, see *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 7A*.

XIII

Effect of changes in rates of exchange and inflation

Having considered the report of the Secretary-General on the revised estimates resulting from the effect of changes in rates of exchange and inflation[137] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[138]

Takes note of the revised estimates arising from recosting due to the effects of changes in the rates of exchange and inflation;

XIV

Financial viability of the United Nations Institute for Training and Research

Having considered the report of the Secretary-General on the United Nations Institute for Training and Research[139] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[140]

1. *Decides* to cancel the debt of the United Nations Institute for Training and Research in respect of rent and maintenance charges in the amount of 321,184 United States dollars;

2. *Requests* the Secretary-General to invite the Board of Trustees of the United Nations Institute for Training and Research to rationalize the financial structure of the Institute, including through the possible application of a consistent programme support rate to the Special Purpose Grants Fund in order to bring it in line with the standard rate applied by the United Nations, and decides to revert to the question at its fifty-ninth session;

XV

Cost implications of providing more predictable and adequate conference services to the meetings of regional and other major groupings of Member States

Recalling its resolutions 56/242 of 24 December 2001 and 57/283 B of 15 April 2003,

Having considered the report of the Secretary-General on the cost implications of providing more predictable and adequate conference services to the meetings of regional and other major groupings of Member States[141] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[115]

Takes note of the report of the Secretary-General on the cost implications of providing more predictable and adequate conference services to the meetings of regional and other major groupings of Member States[141] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[115] and notes in this regard that there would be no effect on the budget estimates of the United Nations;

XVI

Contingency fund

Notes that a balance of 11,314,500 United States dollars remains in the contingency fund;[142]

XVII

Conference and support services extended to the Counter-Terrorism Committee in the implementation of Security Council resolution 1373 (2001)

Recalling its resolutions 56/288 of 27 June 2002 and 57/292 of 20 December 2002,

Having considered the report of the Secretary-General on conference and support services extended to the Counter-Terrorism Committee in the implementation of Security Council resolution 1373 (2001)[143] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[144]

1. *Reiterates* paragraph 2 of its resolution 56/288, in which it requested the Secretary-General to ensure the provision of conference and support services to the Counter-Terrorism Committee without adversely affecting other conference services;

2. *Decides* to appropriate an amount of 8,193,000 United States dollars to support the meeting requirements of the Counter-Terrorism Committee for the biennium 2004–2005 in the programme budget as follows: 7,958,900 dollars under section 2, General Assembly affairs and conference services,[145]

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[137] A/58/528.

[138] A/58/7/Add.11. For the final text, see *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 7A*.

[139] A/58/544.

[140] A/58/7/Add.10. For the final text, see *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 7A*.

[141] A/58/397.

[142] See A/C.5/58/34.

[143] A/C.5/58/23.

[144] A/58/7/Add.17. For the final text, see *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 7A*.

[145] A/58/6 (Sect. 2). For the final text, see *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 6*.

and 234,100 dollars under section 29D, Office of Central Support Services;[146]

XVIII

Development Account

Takes note of the report of the Secretary-General entitled "Implementation of projects financed from the Development Account: third progress report",[147] and concurs with the recommendations of the Advisory Committee on Administrative and Budgetary Questions thereon;[115]

XIX

Additional expenditures deriving from inflation and currency fluctuations

1. *Reaffirms* its resolution 41/213 of 19 December 1986;

2. *Notes* that the effects on the budget of inflation and currency fluctuations can be both positive and negative;

3. *Takes note* of the report of the Secretary-General on additional expenditures deriving from inflation and currency fluctuations[148] and the related report of the Advisory Committee on Administrative and Budgetary Questions;[115]

4. *Requests* the Secretary-General to explore the possibility of establishing a reserve fund to utilize currency gains and to report thereon, through the Advisory Committee, to the General Assembly at its sixtieth session;

XX

Proportion of General Service staff to Professional staff in the regional commissions

Takes note of the report of the Secretary-General on the proportion of General Service staff to Professional staff in the regional commissions[149] and the related report of the Advisory Committee on Administrative and Budgetary Questions;[115]

XXI

United Nations Fund for International Partnerships

Takes note of the report of the Secretary-General on the United Nations Fund for International Partnerships;[150]

XXII

Capital master plan

Takes note of the first annual progress report of the Secretary-General on the implementation of the capital master plan,[151] the note by the Secretary-General transmitting the report of the Office of Internal Oversight Services on the capital master plan for the period from January to July 2003,[152] the note by the Secretary-General transmitting the progress report of the Board of Auditors on the capital master plan[153] and the related report of the Advisory Committee on Administrative and Budgetary Questions;[154]

XXIII

Administration and management of the Office of the United Nations High Commissioner for Human Rights

Takes note of the report of the Secretary-General on the administration and management of the Office of the United Nations High Commissioner for Human Rights[155] and the related report of the Advisory Committee on Administrative and Budgetary Questions;[156]

XXIV

Administrative and financial implications of the decisions and recommendations contained in the report of the International Civil Service Commission for 2003

Recalling its resolution 58/251 of 23 December 2003, entitled "United Nations common system", in particular section I.D concerning hazard pay,

Takes note of the statement of the Secretary-General[157] on the administrative and financial implications of the decisions and recommendations contained in the report of the International Civil Service Commission for 2003[158] and the related report of the Advisory Committee on Administrative and Budgetary Questions.[159]

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[146] A/58/6 (Sect. 29D). For the final text, see *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 6*.

[147] A/58/404.

[148] A/58/400.

[149] A/58/403.

[150] A/58/173.

[151] A/58/599.

[152] A/58/342.

[153] A/58/321.

[154] A/58/7/Add.15. For the final text, see *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 7A*.

[155] A/58/569.

[156] A/58/7/Add.12. For the final text, see *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 7A*.

[157] A/58/378.

[158] *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 30* (A/58/30).

[159] A/58/7/Add.2. For the final text, see *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 7A*.

RESOLUTION 58/273

Adopted at the 79th plenary meeting, on 23 December 2003, without a vote, on the recommendation of the Committee (A/58/573, para. 79)[160]

58/273. Unforeseen and extraordinary expenses for the biennium 2004–2005

The General Assembly

1. *Authorizes* the Secretary-General, with the prior concurrence of the Advisory Committee on Administrative and Budgetary Questions and subject to the Financial Regulations and Rules of the United Nations[161] and the provisions of paragraph 3 below, to enter into commitments in the biennium 2004–2005 to meet unforeseen and extraordinary expenses arising either during or subsequent to the biennium, provided that the concurrence of the Advisory Committee shall not be necessary for:

(*a*) Such commitments not exceeding a total of 8 million United States dollars in any one year of the biennium 2004–2005 as the Secretary-General certifies relate to the maintenance of peace and security;

(*b*) Such commitments as the President of the International Court of Justice certifies relate to expenses occasioned by:

(i) The designation of ad hoc judges (Statute of the International Court of Justice, Article 31), not exceeding a total of 330,000 dollars;

(ii) The calling of witnesses and the appointment of experts (Statute, Article 50) and the appointment of assessors (Statute, Article 30), not exceeding a total of 50,000 dollars;

(iii) The maintenance in office for the completion of cases of judges who have not been re-elected (Statute, Article 13, paragraph 3), not exceeding a total of 40,000 dollars;

(iv) The payment of pensions and travel and removal expenses of retiring judges and travel and removal expenses and installation grant of members of the Court (Statute, Article 32, paragraph 7), not exceeding a total of 410,000 dollars;

(v) The work of the Court or its Chambers away from The Hague (Statute, Article 22), not exceeding a total of 25,000 dollars;

(*c*) Such commitments not exceeding a total of 500,000 dollars in the biennium 2004–2005 as the Secretary-General certifies are required for inter-organizational security measures pursuant to section IV of General Assembly resolution 36/235 of 18 December 1981;

2. *Resolves* that the Secretary-General shall report to the Advisory Committee and to the General Assembly at its fifty-ninth and sixtieth sessions all commitments made under the provisions of the present resolution, together with the circumstances relating thereto, and shall submit supplementary estimates to the Assembly in respect of such commitments;

3. *Decides* that, for the biennium 2004–2005, if a decision of the Security Council results in the need for the Secretary-General to enter into commitments relating to the maintenance of peace and security in an amount exceeding 10 million dollars in respect of the decision, that matter shall be brought to the General Assembly, or, if the Assembly is suspended or not in session, a resumed or special session of the Assembly shall be convened by the Secretary-General to consider the matter.

RESOLUTION 58/274

Adopted at the 79th plenary meeting, on 23 December 2003, without a vote, on the recommendation of the Committee (A/58/573, para. 79)[162]

58/274. Working Capital Fund for the biennium 2004–2005

The General Assembly

Resolves that:

1. The Working Capital Fund shall be established for the biennium 2004–2005 in the amount of 100 million United States dollars;

2. Member States shall make advances to the Working Capital Fund in accordance with the scale of assessments adopted by the General Assembly for contributions of Member States to the budget for the year 2004;

3. There shall be set off against this allocation of advances:

(*a*) Credits to Member States resulting from transfers made in 1959 and 1960 from the surplus account to the Working Capital Fund in an adjusted amount of 1,025,092 dollars;

(*b*) Cash advances paid by Member States to the Working Capital Fund for the biennium 2004–2005 in accordance with General Assembly resolution 56/257 of 24 December 2001;

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[160] The draft resolution recommended in the report was submitted by the Chairman of the Committee.

[161] ST/SGB/2003/7.

[162] The draft resolution recommended in the report was submitted by the Chairman of the Committee.

4. Should the credits and advances paid by any Member State to the Working Capital Fund for the biennium 2002–2003 exceed the amount of that Member State's advance under the provisions of paragraph 2 above, the excess shall be set off against the amount of the contributions payable by the Member State in respect of the biennium 2004–2005;

5. The Secretary-General is authorized to advance from the Working Capital Fund:

(*a*) Such sums as may be necessary to finance budgetary appropriations pending the receipt of contributions; sums so advanced shall be reimbursed as soon as receipts from contributions are available for that purpose;

(*b*) Such sums as may be necessary to finance commitments that may be duly authorized under the provisions of the resolutions adopted by the General Assembly, in particular resolution 58/273 of 23 December 2003 relating to unforeseen and extraordinary expenses; the Secretary-General shall make provision in the budget estimates for reimbursing the Working Capital Fund;

(*c*) Such sums as may be necessary to continue the revolving fund to finance miscellaneous self-liquidating purchases and activities, which, together with net sums outstanding for the same purpose, do not exceed 200,000 dollars; advances in excess of 200,000 dollars may be made with the prior concurrence of the Advisory Committee on Administrative and Budgetary Questions;

(*d*) With the prior concurrence of the Advisory Committee, such sums as may be required to finance payments of advance insurance premiums where the period of insurance extends beyond the end of the biennium in which payment is made; the Secretary-General shall make provision in the budget estimates of each biennium, during the life of the related policies, to cover the charges applicable to each biennium;

(*e*) Such sums as may be necessary to enable the Tax Equalization Fund to meet current commitments pending the accumulation of credits; such advances shall be repaid as soon as credits are available in the Tax Equalization Fund;

6. Should the provision in paragraph 1 above prove inadequate to meet the purposes normally related to the Working Capital Fund, the Secretary-General is authorized to utilize, in the biennium 2004–2005, cash from special funds and accounts in his custody, under the conditions approved by the General Assembly in its resolution 1341 (XIII) of 13 December 1958, or the proceeds of loans authorized by the Assembly.

RESOLUTION 58/275

Adopted at the 79th plenary meeting, on 23 December 2003, without a vote, on the recommendation of the Committee (A/58/586, para. 7)[163]

58/275. Financing of the United Nations Mission in Côte d'Ivoire

The General Assembly,

Having considered the report of the Secretary-General on the budget for the United Nations Mission in Côte d'Ivoire for the period from 13 May 2003 to 30 June 2004,[164] the note by the Secretary-General concerning the budget for the United Nations Mission in Côte d'Ivoire[165] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[166]

Having also considered the letter dated 27 October 2003 from the Secretary-General addressed to the President of the General Assembly[167] and the letter dated 29 October 2003 from the President of the General Assembly addressed to the Chairman of the Fifth Committee[168] regarding the United Nations Mission in Côte d'Ivoire,

1. *Reaffirms*, in the context of the decision of the Security Council with respect to the financing of the United Nations Mission in Côte d'Ivoire, the role of the General Assembly, as set out in Article 17 of the Charter of the United Nations, as the organ to consider and approve the budget of the Organization, as well as the apportionment of its expenses among Member States;

2. *Notes* that the financing of the Mission up to now has been provided in accordance with the provisions of General Assembly resolution 49/233 A of 23 December 1994;

3. *Decides*, as a provisional and exceptional measure, to finance the Mission up to the expiration of its current mandate in accordance with the scale of assessments for the apportionment of the expenses of the United Nations under the regular budget;

4. *Decides also* that the issue of the most appropriate funding for the Mission upon the renewal of its mandate should be considered by the General Assembly at the first part of its resumed fifty-eighth session, in the context of established norms and practice;

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[163] The draft resolution recommended in the report was submitted by the Vice-Chairman of the Committee.

[164] A/58/370.

[165] A/58/598.

[166] A/58/538.

[167] A/58/535.

[168] A/C.5/58/12.

5. *Requests* the President of the General Assembly to bring to the attention of the President of the Security Council the contents of the present resolution.

RESOLUTION 58/276

Adopted at the 79th plenary meeting, on 23 December 2003, without a vote, on the recommendation of the Committee (A/58/571, para. 14)[169]

58/276. Outsourcing practices

The General Assembly,

Recalling its resolutions 54/256 of 7 April 2000 and 55/232 of 23 December 2000,

Having considered the report of the Secretary-General on outsourcing practices[170] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[171]

1. *Takes note* of the report of the Secretary-General;[170]

2. *Endorses* the recommendations contained in paragraphs 10 and 11 of the report of the Advisory Committee on Administrative and Budgetary Questions;[171]

3. *Requests* the Secretary-General to report to the General Assembly at its fifty-ninth session on the implementation of the provisions of its resolution 55/232 and on activities outsourced during the years 2002 and 2003, including information on the location and type of outsourced activities and more detailed reasoning therefor.

RESOLUTION 58/277

Adopted at the 79th plenary meeting, on 23 December 2003, without a vote, on the recommendation of the Committee (A/58/571, para. 14)[172]

58/277. Report of the Joint Inspection Unit on the management audit review of outsourcing in the United Nations and the United Nations funds and programmes

The General Assembly,

Reaffirming its previous resolutions on the Joint Inspection Unit, in particular resolutions 50/233 of 7 June 1996, 54/16 of 29 October 1999, 55/230 of 23 December 2000, 56/245 of 24 December 2001 and 57/284 A and B of 20 December 2002,

Also reaffirming its resolutions 54/256 of 7 April 2000 and 55/232 of 23 December 2000 on outsourcing practices,

Having considered the report of the Joint Inspection Unit on the management audit review of outsourcing in the United Nations and the United Nations funds and programmes,[173] the comments of the Secretary-General thereon[174] and paragraphs 5 to 7 and 9 of the report of the Advisory Committee on Administrative and Budgetary Questions,[175]

1. *Takes note* of recommendation 1 of the Joint Inspection Unit;[173]

2. *Also takes note* of recommendation 2 of the Unit and the related comments of the Secretary-General;[174]

3. *Endorses* recommendation 3 (*a*) of the Unit;

4. *Takes note* of recommendations 4 and 5 of the Unit, as well as the related comments of the Secretary-General[174] and the Advisory Committee on Administrative and Budgetary Questions;[175]

5. *Requests* the Secretary-General to ensure that contractors whose staff are present on the United Nations premises on a regular basis are held accountable for conducting individual background checks at their own expense;

6. *Endorses* recommendations 7 to 9 of the Unit;

7. *Requests* the Secretary-General to share the experience of the Procurement Division of the Office of Central Support Services of the Secretariat in the use of its new formats for monitoring, evaluating and certifying supplier performance under outsourced contracts with the members of the Inter-Agency Procurement Working Group and to report thereon to the General Assembly in the context of his next report on outsourcing practices.

RESOLUTION 58/278

Adopted at the 79th plenary meeting, on 23 December 2003, without a vote, on the recommendation of the Committee (A/58/571, para. 14)[176]

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[169] The draft resolution recommended in the report was submitted by the Chairman of the Committee.

[170] A/57/185.

[171] *Official Records of the General Assembly, Fifty-seventh Session, Supplement No. 7* (A/57/7 and Add.1–27), document A/57/7/Add.1, paras. 10 and 11.

[172] The draft resolution recommended in the report was submitted by the Chairman of the Committee.

[173] See A/58/92.

[174] See A/58/92/Add.1.

[175] A/58/389.

[176] The draft resolution recommended in the report was submitted by the Chairman of the Committee.

58/278. Report of the Joint Inspection Unit on common and joint services of United Nations system organizations at Vienna

The General Assembly,

Having considered the report of the Joint Inspection Unit on common and joint services of United Nations system organizations at Vienna,[177] the comments of the Secretary-General and the United Nations System Chief Executives Board for Coordination thereon[178] and the related comments of the Advisory Committee on Administrative and Budgetary Questions,[179]

1. *Welcomes* the comprehensive and timely preparation of the report of the Joint Inspection Unit;[177]

2. *Decides* to revert at its fifty-ninth session to the consideration of the report of the Joint Inspection Unit and the comments of the Secretary-General and the United Nations System Chief Executives Board for Coordination thereon[178] upon the issuance of the related report of the Advisory Committee on Administrative and Budgetary Questions.

RESOLUTION 58/279

Adopted at the 79th plenary meeting, on 23 December 2003, without a vote, on the recommendation of the Committee (A/58/571, para. 14)[180]

58/279. Report of the Office of Internal Oversight Services on the audit of the Investment Management Service of the United Nations Joint Staff Pension Fund

The General Assembly,

Recalling its resolutions 48/218 B of 29 July 1994 and 54/244 of 23 December 1999,

Having considered the report of the Office of Internal Oversight Services on the audit of the Investment Management Service of the United Nations Joint Staff Pension Fund,[181]

1. *Takes note* of the report of the Office of Internal Oversight Services on the audit of the Investment Management Service of the United Nations Joint Staff Pension Fund;[181]

2. *Notes with concern* the findings of the Office of Internal Oversight Services on problem areas in the functioning, administration and accountability mechanisms of the Investment Management Service;

3. *Requests* the Secretary-General to ensure that all the recommendations of the Office of Internal Oversight Services contained in its report are fully and expeditiously implemented and to submit a report thereon to the General Assembly at its resumed fifty-eighth session.

RESOLUTION 58/280

Adopted at the 79th plenary meeting, on 23 December 2003, without a vote, on the recommendation of the Committee (A/58/571, para. 14)[182]

58/280. Review of duplication, complexity and bureaucracy in United Nations administrative processes and procedures

The General Assembly,

Recalling its resolutions 48/218 B of 29 July 1994, 54/244 of 23 December 1999 and 56/253 of 24 December 2001,

Having considered the report of the Office of Internal Oversight Services on the review of duplication, complexity and bureaucracy in United Nations administrative processes and procedures,[183]

Takes note of the report of the Office of Internal Oversight Services.[183]

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[177] See A/58/258.

[178] See A/58/258/Add.1.

[179] A/58/389, paras. 8 and 9.

[180] The draft resolution recommended in the report was submitted by the Chairman of the Committee.

[181] See A/58/81.

[182] The draft resolution recommended in the report was submitted by the Vice-Chairman of the Committee.

[183] See A/58/211.

VII. Resolutions adopted on the reports of the Sixth Committee

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RESOLUTION 58/73

Adopted at the 72nd plenary meeting, on 9 December 2003, without a vote, on the recommendation of the Committee (A/58/511, para. 6)[1]

58/73. United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law

The General Assembly,

Taking note with appreciation of the report of the Secretary-General on the implementation of the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law[2] and the guidelines and recommendations on future implementation of the Programme which were adopted by the Advisory Committee on the Programme and are contained in section III of the report,

Considering that international law should occupy an appropriate place in the teaching of legal disciplines at all universities,

Noting with appreciation the efforts made by States at the bilateral level to provide assistance in the teaching and study of international law,

Convinced, nevertheless, that States and international organizations and institutions should be encouraged to give further support to the Programme and increase their activities to promote the teaching, study, dissemination and wider appreciation of international law, in particular those activities which are of special benefit to persons from developing countries,

Reaffirming its resolutions 2464 (XXIII) of 20 December 1968, 2550 (XXIV) of 12 December 1969, 2838 (XXVI) of 18 December 1971, 3106 (XXVIII) of 12 December 1973, 3502 (XXX) of 15 December 1975, 32/146 of 16 December 1977, 36/108 of 10 December 1981 and 38/129 of 19 December 1983, in which it stated or recalled that in the conduct of the Programme it was desirable to use as far as possible the resources and facilities made available by Member States, international organizations and others, as well as its resolutions 34/144 of 17 December 1979, 40/66 of 11 December 1985, 42/148 of 7 December 1987, 44/28 of 4 December 1989, 46/50 of 9 December 1991, 48/29 of 9 December 1993, 50/43 of 11 December 1995, 52/152 of 15 December 1997, 54/102 of 9 December 1999 and 56/77 of 12 December 2001, in which, in addition, it expressed or reaffirmed the hope that, in appointing lecturers for the seminars to be held within the framework of the fellowship programme in international law, account would be taken of the need to secure the representation of major legal systems and balance among various geographical regions,

1. *Approves* the guidelines and recommendations contained in section III of the report of the Secretary-General[2] and adopted by the Advisory Committee on the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law, in particular those designed to achieve the best possible results in the administration of the Programme within a policy of maximum financial restraint;

2. *Authorizes* the Secretary-General to carry out in 2004 and 2005 the activities specified in his report, including the provision of:

(*a*) A number of international law fellowships in both 2004 and 2005, to be determined in the light of the overall resources for the Programme and to be awarded at the request of Governments of developing countries;

(*b*) A minimum of one scholarship in both 2004 and 2005 under the Hamilton Shirley Amerasinghe Memorial Fellowship on the Law of the Sea, subject to the availability of new voluntary contributions made specifically to the fellowship fund;

(*c*) Subject to the overall resources for the Programme, assistance in the form of a travel grant for one participant from each developing country, who would be invited to possible regional courses to be organized in 2004 and 2005;

and to finance the above activities from provisions in the regular budget, when appropriate, as well as from voluntary financial contributions earmarked for each of the activities concerned, which would be received as a result of the requests set out in paragraphs 11 to 13 below;

3. *Expresses its appreciation* to the Secretary-General for his constructive efforts to promote training and assistance in international law within the framework of the Programme in 2002 and 2003, in particular for the organization of the thirty-eighth[3] and thirty-ninth[4] sessions of the International Law Seminar, held at Geneva in 2002 and 2003, respectively, and for the activities of the Office of Legal Affairs of the Secretariat related to the fellowship programme in international law and to the Hamilton Shirley Amerasinghe Memorial Fellowship on the Law of the Sea, carried out, respectively, through its Codification Division and its Division for Ocean Affairs and the Law of the Sea;

4. *Requests* the Secretary-General to consider the possibility of admitting, for participation in the various

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[1] The draft resolution recommended in the report was introduced by the representative of Ghana on behalf of the Bureau.

[2] A/58/446.

[3] See *Official Records of the General Assembly, Fifty-seventh Session, Supplement No. 10* and corrigendum (A/57/10 and Corr.1), chap. X, sect. E.

[4] Ibid., *Fifty-eighth Session, Supplement No. 10* (A/58/10), chap. XI, sect. E.

components of the Programme, candidates from countries willing to bear the entire cost of such participation;

5. *Also requests* the Secretary-General to consider the relative advantages of using available resources and voluntary contributions for regional, subregional or national courses, as against courses organized within the United Nations system;

6. *Further requests* the Secretary-General to continue to provide the necessary resources to the programme budget for the Programme for the next and the future bienniums with a view to maintaining the effectiveness of the Programme;

7. *Welcomes* the efforts undertaken by the Office of Legal Affairs to bring up to date the United Nations *Treaty Series* and the *United Nations Juridical Yearbook*, as well as efforts made to place on the Internet the *Treaty Series* and other legal information;

8. *Expresses its appreciation* to the United Nations Institute for Training and Research for its participation in the Programme through the activities described in the report of the Secretary-General;

9. *Also expresses its appreciation* to The Hague Academy of International Law for the valuable contribution it continues to make to the Programme, which has enabled candidates under the fellowship programmes in international law to attend and participate in the Programme in conjunction with the Academy courses;

10. *Notes with appreciation* the contributions of The Hague Academy to the teaching, study, dissemination and wider appreciation of international law, and calls upon Member States and interested organizations to give favourable consideration to the appeal of the Academy for a continuation of support and a possible increase in their financial contributions, to enable the Academy to carry out its activities, particularly those relating to the summer courses, regional courses and programmes of the Centre for Studies and Research in International Law and International Relations;

11. *Requests* the Secretary-General to continue to publicize the Programme and periodically to invite Member States, universities, philanthropic foundations and other interested national and international institutions and organizations, as well as individuals, to make voluntary contributions towards the financing of the Programme or otherwise to assist in its implementation and possible expansion;

12. *Reiterates its request* to Member States and to interested organizations and individuals to make voluntary contributions, inter alia, for the International Law Seminar, the fellowship programme in international law, the Hamilton Shirley Amerasinghe Memorial Fellowship on the Law of the Sea and the United Nations Audiovisual Library in International Law, and expresses its appreciation to those Member States, institutions and individuals that have made voluntary contributions for this purpose;

13. *Urges*, in particular, all Governments to make voluntary contributions for the organization of regional refresher courses in international law by the United Nations Institute for Training and Research, especially with a view to covering the amount needed for the financing of the daily subsistence allowance for up to twenty-five participants in each regional course, thus alleviating the burden on prospective host countries and making it possible for the Institute to continue to organize the regional courses;

14. *Requests* the Secretary-General to report to the General Assembly at its sixtieth session on the implementation of the Programme during 2004 and 2005 and, following consultations with the Advisory Committee on the Programme, to submit recommendations regarding the execution of the Programme in subsequent years;

15. *Decides* to appoint twenty-five Member States, six from Africa, five from Asia, three from Eastern Europe, five from Latin America and the Caribbean and six from Western Europe and other States, as members of the Advisory Committee on the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law, for a period of four years beginning on 1 January 2004;[5]

16. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law".

RESOLUTION 58/74

Adopted at the 72nd plenary meeting, on 9 December 2003, without a vote, on the recommendation of the Committee (A/58/512, para. 9)[6]

58/74. Convention on jurisdictional immunities of States and their property

The General Assembly,

Recalling its resolutions 46/55 of 9 December 1991, 49/61 of 9 December 1994, 52/151 of 15 December 1997, 53/98 of 8 December 1998, 54/101 of 9 December 1999, 55/150 of

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[5] The following States have been appointed members of the Advisory Committee on the Programme: Canada, Colombia, Cyprus, Czech Republic, Ethiopia, France, Germany, Ghana, Iran (Islamic Republic of), Italy, Jamaica, Kenya, Lebanon, Malaysia, Mexico, Nigeria, Pakistan, Portugal, Russian Federation, Sudan, Trinidad and Tobago, Ukraine, United Republic of Tanzania, United States of America and Uruguay.

[6] The draft resolution recommended in the report was sponsored in the Committee by: Australia, Austria, Belgium, China, Cyprus, Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, India, Iran (Islamic Republic of), Ireland, Italy, Japan, Mexico, Norway, Philippines, Poland, Portugal, Republic of Korea, Slovakia, South Africa, Spain, Sweden, Ukraine, United Kingdom of Great Britain and Northern Ireland and Viet Nam.

12 December 2000, 56/78 of 12 December 2001 and 57/16 of 19 November 2002,

Having considered the report of the Ad Hoc Committee on Jurisdictional Immunities of States and Their Property,[7] established pursuant to resolution 55/150,

Noting the adoption of the draft articles and the understandings by the Ad Hoc Committee,

Noting also the broad support for the conclusion of a convention on jurisdictional immunities of States and their property,

Stressing the importance of uniformity and clarity in the law applicable to jurisdictional immunities of States and their property,

1. *Takes note with appreciation* of the report of the Ad Hoc Committee on Jurisdictional Immunities of States and Their Property;[7]

2. *Decides* that the Ad Hoc Committee shall be reconvened from 1 to 5 March 2004, with the mandate to formulate a preamble and final clauses, with a view to completing a convention on jurisdictional immunities of States and their property, which will contain the results already adopted by the Ad Hoc Committee;

3. *Requests* the Ad Hoc Committee to report to the General Assembly at its fifty-ninth session on the outcome of its work;

4. *Decides* to include in the provisional agenda of its fifty-ninth session the item entitled "Convention on jurisdictional immunities of States and their property".

RESOLUTION 58/75

Adopted at the 72nd plenary meeting, on 9 December 2003, without a vote, on the recommendation of the Committee (A/58/513, para.9)[8]

58/75. Report of the United Nations Commission on International Trade Law on the work of its thirty-sixth session

The General Assembly,

Recalling its resolution 2205 (XXI) of 17 December 1966, by which it established the United Nations Commission on International Trade Law with a mandate to further the progressive harmonization and unification of the law of international trade and in that respect to bear in mind the interests of all peoples, in particular those of developing countries, in the extensive development of international trade,

Reaffirming its belief that the progressive modernization and harmonization of international trade law, in reducing or removing legal obstacles to the flow of international trade, especially those affecting the developing countries, would contribute significantly to universal economic cooperation among all States on a basis of equality, equity and common interest and to the elimination of discrimination in international trade and, thereby, to the well-being of all peoples,

Having considered the report of the Commission on its thirty-sixth session,[9]

Concerned that activities undertaken by other bodies in the field of international trade law without adequate coordination with the Commission might lead to undesirable duplication of efforts and would not be in keeping with the aim of promoting efficiency, consistency and coherence in the unification and harmonization of international trade law,

Reaffirming the mandate of the Commission, as the core legal body within the United Nations system in the field of international trade law, to coordinate legal activities in this field, in particular to avoid duplication of efforts, including among organizations formulating rules of international trade, and to promote efficiency, consistency and coherence in the modernization and harmonization of international trade law, and to continue, through its secretariat, to maintain close cooperation with other international organs and organizations, including regional organizations, active in the field of international trade law, as stated in General Assembly resolution 50/47 of 11 December 1995,

Taking note of the proposals made by the Secretary-General in the proposed programme budget for the biennium 2004–2005 with a view to strengthening the secretariat of the Commission within the bounds of the resources available in the Organization so as to enable it to deal with the increased workload arising, inter alia, from the coordination of work with other organizations and growing demands for legislative technical assistance,[10]

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[7] *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 22* (A/58/22).

[8] The draft resolution recommended in the report was sponsored in the Committee by: Afghanistan, Algeria, Armenia, Australia, Austria, Brazil, Bulgaria, Canada, Chile, China, Colombia, Costa Rica, Croatia, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Finland, Germany, Greece, Guatemala, Hungary, India, Iran (Islamic Republic of), Ireland, Israel, Italy, Japan, Liechtenstein, Lithuania, Madagascar, Malaysia, Malta, Mexico, Mongolia, Morocco, New Zealand, Norway, Paraguay, Philippines, Portugal, Romania, Russian Federation, Serbia and Montenegro, Sierra Leone, Singapore, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Trinidad and Tobago, Tunisia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland and Venezuela.

[9] *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 17* (A/58/17).

1. *Takes note with appreciation* of the report of the United Nations Commission on International Trade Law on its thirty-sixth session;[9]

2. *Takes note with satisfaction* of the completion and adoption by the Commission of the Model Legislative Provisions on Privately Financed Infrastructure Projects;[11]

3. *Commends* the Commission for its approval in principle to the draft legislative guide on insolvency law,[12] elaborated in close cooperation with other international organizations, including the World Bank, the International Monetary Fund, the Asian Development Bank, the International Bar Association and the International Federation of Insolvency Professionals, and requests that the draft legislative guide be made available for comment to Member States, relevant intergovernmental and non-governmental organizations, as well as private sector and regional organizations and individual experts;

4. *Also commends* the Commission for the progress made in the work on the draft legislative guide on secured transactions, on model legislative provisions on interim measures in international commercial arbitration and on issues of electronic contracting and transport law;

5. *Requests* the Commission and its secretariat, relying on its role as the core legal body within the United Nations system in the field of international trade law, to take the lead in assuring cooperation and coordination with the World Bank, the International Monetary Fund, regional economic commissions and other international organizations in the work on international legal texts and propose appropriate and widely accepted international standards with due respect to the distinct objectives of the Commission and the international financial institutions;

6. *Reaffirms* the importance, in particular for developing countries, of the work of the Commission concerned with training and legislative technical assistance in the field of international trade law, and in this connection:

(*a*) Expresses its appreciation to the Commission for organizing seminars and briefing missions in Bangladesh, Botswana, Burkina Faso, Cuba, Kazakhstan, Mongolia, New Zealand, Peru, the Republic of Korea, the Russian Federation, Serbia and Montenegro, Thailand and Viet Nam;

(*b*) Expresses its appreciation to the Governments whose contributions enabled the seminars and briefing missions to take place, and appeals to Governments, the relevant bodies of the United Nations system, organizations, institutions and individuals to make voluntary contributions to the United Nations Commission on International Trade Law Trust Fund for Symposia and, where appropriate, to the financing of special projects, and otherwise to assist the secretariat of the Commission in carrying out training and legislative technical assistance activities, in particular in developing countries;

(*c*) Reiterates its appeal to the United Nations Development Programme and other bodies responsible for development assistance, such as the World Bank and regional development banks, as well as to Governments in their bilateral aid programmes, to support the training and legislative technical assistance programme of the Commission and to cooperate and coordinate their activities with those of the Commission;

7. *Appeals* to Governments, the relevant bodies of the United Nations system, organizations, institutions and individuals to make voluntary contributions to the trust fund established to provide travel assistance to developing countries that are members of the Commission, at their request and in consultation with the Secretary-General;

8. *Decides*, in order to ensure full participation by all Member States in the sessions of the Commission and its working groups, to continue, in the competent Main Committee during the fifty-eighth session of the General Assembly, its consideration of granting travel assistance to the least developed countries that are members of the Commission, at their request and in consultation with the Secretary-General;

9. *Stresses* the importance of bringing into effect the conventions emanating from the work of the Commission for the global unification and harmonization of international trade law, and, to this end, urges States that have not yet done so to consider signing, ratifying or acceding to those conventions;

10. *Requests* the Secretary-General, in view of the continuing demands on personnel resources of the secretariat of the Commission resulting, inter alia, from the need for coordination among a growing number of international organizations in the field of international trade law and the growing demand for legislative technical assistance, to keep under review the level of resources available to the Commission in order to ensure its ability to carry out its mandate.

RESOLUTION 58/76

Adopted at the 72nd plenary meeting, on 9 December 2003, without a vote, on the recommendation of the Committee (A/58/513, para. 9)[13]

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[10] A/58/6 (Sect. 8), paras. 8.13 and 8.48.

[11] *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 17* (A/58/17), annex I.

[12] Ibid., *Supplement No. 17* (A/58/17), para. 197; see also A/CN.9/534.

[13] The draft resolution recommended in the report was introduced by the Chairman of the Committee.

58/76. Model Legislative Provisions on Privately Financed Infrastructure Projects of the United Nations Commission on International Trade Law

The General Assembly,

Bearing in mind the role of public-private partnerships to improve the provision and sound management of infrastructure and public services in the interest of sustainable economic and social development,

Recognizing the need to provide an enabling environment that both encourages private investment in infrastructure and takes into account the public interest concerns of the country,

Emphasizing the importance of efficient and transparent procedures for the award of privately financed infrastructure projects,

Stressing the desirability of facilitating project implementation by rules that enhance transparency, fairness and long-term sustainability and remove undesirable restrictions on private sector participation in infrastructure development and operation,

Recalling the valuable guidance that the United Nations Commission on International Trade Law has provided to Member States towards the establishment of a favourable legislative framework for private participation in infrastructure development through the *UNCITRAL Legislative Guide on Privately Financed Infrastructure Projects*,[14]

Believing that the Model Legislative Provisions on Privately Financed Infrastructure Projects of the United Nations Commission on International Trade Law will be of further assistance to States, in particular developing countries, in promoting good governance and establishing an appropriate legislative framework for such projects,

1. *Expresses its appreciation* to the United Nations Commission on International Trade Law for the completion and adoption of the Model Legislative Provisions on Privately Financed Infrastructure Projects, the text of which is contained in annex I to the report of the United Nations Commission on International Trade Law on its thirty-sixth session;[15]

2. *Requests* the Secretary-General to publish the Model Legislative Provisions and to make all efforts to ensure that the Model Legislative Provisions along with the *UNCITRAL Legislative Guide on Privately Financed Infrastructure Projects*[14] become generally known and available;

3. *Also requests* the Secretary-General, subject to availability of resources, to consolidate in due course the text of the Model Legislative Provisions and the *Legislative Guide* into one single publication and, in doing so, to retain the legislative recommendations contained in the *Legislative Guide* as a basis of the development of the Model Legislative Provisions;

4. *Recommends* that all States give due consideration to the Model Legislative Provisions and the *Legislative Guide* when revising or adopting legislation related to private participation in the development and operation of public infrastructure.

RESOLUTION 58/77

Adopted at the 72nd plenary meeting, on 9 December 2003, without a vote, on the recommendation of the Committee (A/58/514, para. 8)[16]

58/77. Report of the International Law Commission on the work of its fifty-fifth session

The General Assembly,

Having considered the report of the International Law Commission on the work of its fifty-fifth session,[17]

Emphasizing the importance of furthering the codification and progressive development of international law as a means of implementing the purposes and principles set forth in the Charter of the United Nations and in the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations,[18]

Recognizing the desirability of referring legal and drafting questions to the Sixth Committee, including topics that might be submitted to the International Law Commission for closer examination, and of enabling the Sixth Committee and the Commission to enhance further their contribution to the progressive development of international law and its codification,

Recalling the need to keep under review those topics of international law which, given their new or renewed interest for the international community, may be suitable for the progressive development and codification of international law and therefore may be included in the future programme of work of the International Law Commission,

Welcoming the holding of the International Law Seminar, and noting with appreciation the voluntary contributions made to the United Nations Trust Fund for the International Law Seminar,

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[14] United Nations publication, Sales No. E.01.V.4.

[15] *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 17* (A/58/17).

[16] The draft resolution recommended in the report was introduced by the representative of Trinidad and Tobago on behalf of the Bureau.

[17] *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 10* (A/58/10).

[18] Resolution 2625 (XXV), annex.

Stressing the usefulness of focusing and structuring the debate on the report of the International Law Commission in the Sixth Committee in such a manner that conditions are provided for concentrated attention to each of the main topics dealt with in the report and for discussions on specific topics,

Wishing to enhance further, as proposed at the fifty-eighth session of the General Assembly by the Austrian-Swedish initiative to revitalize the debate on the report of the International Law Commission, the interaction between the Sixth Committee as a body of governmental representatives and the Commission as a body of independent legal experts, with a view to improving the dialogue between the two bodies,

1. *Takes note with appreciation* of the report of the International Law Commission on the work of its fifty-fifth session,[17] and recommends that the Commission continue its work on the topics in its current programme, taking into account the comments and observations of Governments, whether submitted in writing or expressed orally in debates in the General Assembly;

2. *Draws the attention* of Governments to the importance for the International Law Commission of having their views on the various aspects involved in the topics on the agenda of the Commission, in particular on all the specific issues identified in chapter III of its report;

3. *Reiterates its invitation* to Governments, within the context of paragraph 2 above, to provide information to the International Law Commission regarding State practice on the topic "Unilateral acts of States";

4. *Invites* Governments, within the context of paragraph 2 above, to provide information to the International Law Commission regarding national legislation, bilateral and other agreements and arrangements with regard to the use and management of transboundary groundwaters, in particular those governing quality and quantity of such waters, relevant to the topic currently entitled "Shared natural resources";

5. *Requests* the Secretary-General to invite States and international organizations to submit information concerning their practice relevant to the topic "Responsibility of international organizations", including cases in which States members of an international organization may be regarded as responsible for acts of the organization;

6. *Invites* the International Law Commission to continue taking measures to enhance its efficiency and productivity;

7. *Encourages* the International Law Commission to continue taking cost-saving measures at its future sessions;

8. *Takes note* of paragraph 448 of the report of the International Law Commission, and decides that the next session of the Commission shall be held at the United Nations Office at Geneva from 3 May to 4 June and from 5 July to 6 August 2004;

9. *Welcomes* the enhanced dialogue between the International Law Commission and the Sixth Committee at the fifty-eighth session of the General Assembly, stresses the desirability of further enhancing the dialogue between the two bodies, and in this context encourages, inter alia, the continued practice of informal consultations in the form of discussions between the members of the Sixth Committee and the members of the Commission attending the fifty-ninth session of the Assembly;

10. *Encourages* delegations, during the debate on the report of the International Law Commission to adhere as far as possible to the structured work programme agreed to by the Sixth Committee and to consider presenting concise and focused statements;

11. *Encourages* Member States to consider being represented at the level of legal adviser during the first week in which the report of the International Law Commission is discussed in the Sixth Committee to enable high-level discussions on issues of international law, and decides that the week shall henceforth be known as "International Law Week";

12. *Requests* the International Law Commission to continue to pay special attention to indicating in its annual report, for each topic, any specific issues on which expressions of views by Governments, either in the Sixth Committee or in written form, would be of particular interest in providing effective guidance for the Commission in its further work;

13. *Takes note* of paragraphs 449 to 455 of the report of the International Law Commission with regard to cooperation with other bodies, and encourages the Commission to continue the implementation of article 16, paragraph (*e*), and article 26, paragraphs 1 and 2, of its statute in order to further strengthen cooperation between the Commission and other bodies concerned with international law, having in mind the usefulness of such cooperation;

14. *Notes* that consulting with national organizations and individual experts concerned with international law may assist Governments in considering whether to make comments and observations on drafts submitted by the International Law Commission and in formulating their comments and observations;

15. *Reaffirms* its previous decisions concerning the indispensable role of the Codification Division of the Office of Legal Affairs of the Secretariat in providing assistance to the International Law Commission;

16. *Approves* the conclusions reached by the International Law Commission in paragraphs 440 to 443 of its

report regarding documentation of the Commission, and reaffirms its previous decisions concerning the summary records of the International Law Commission;[19]

17. *Expresses the hope* that the International Law Seminar will continue to be held in connection with the sessions of the International Law Commission and that an increasing number of participants, in particular from developing countries, will be given the opportunity to attend the Seminar, and appeals to States to continue to make urgently needed voluntary contributions to the United Nations Trust Fund for the International Law Seminar;

18. *Requests* the Secretary-General to provide the International Law Seminar with adequate services, including interpretation, as required, and encourages him to continue considering ways to improve the structure and content of the Seminar;

19. *Also requests* the Secretary-General to forward to the International Law Commission, for its attention, the records of the debate on the report of the Commission at the fifty-eighth session of the General Assembly, together with such written statements as delegations may circulate in conjunction with their oral statements, and to prepare and distribute a topical summary of the debate, following established practice;

20. *Requests* the Secretariat to circulate to States, as soon as possible after the conclusion of the session of the International Law Commission, chapter II of its report containing a summary of the work of that session, chapter III containing the specific issues on which the views of Governments would be of particular interest to the Commission and the draft articles adopted on either first or second reading by the Commission;

21. *Recommends* that the debate on the report of the International Law Commission at the fifty-ninth session of the General Assembly commence on 1 November 2004.

RESOLUTION 58/78

Adopted at the 72nd plenary meeting, on 9 December 2003, without a vote, on the recommendation of the Committee (A/58/515, para. 8)[20]

58/78. Report of the Committee on Relations with the Host Country

The General Assembly,

Having considered the report of the Committee on Relations with the Host Country,[21]

Recalling Article 105 of the Charter of the United Nations, the Convention on the Privileges and Immunities of the United Nations,[22] the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations[23] and the responsibilities of the host country,

Recalling also that, in accordance with paragraph 7 of General Assembly resolution 2819 (XXVI) of 15 December 1971, the Committee should consider, and advise the host country on, issues arising in connection with the implementation of the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations,

Recalling further its resolution 43/172 of 9 December 1988, in which it stressed the importance of a positive perception of the work of the United Nations, and urged that efforts be continued to build up public awareness by explaining, through all available means, the importance of the role played by the United Nations and the missions accredited to it in the strengthening of international peace and security,

Recognizing that effective measures should continue to be taken by the competent authorities of the host country, in particular to prevent any acts violating the security of missions and the safety of their personnel,

1. *Endorses* the recommendations and conclusions of the Committee on Relations with the Host Country contained in paragraph 52 of its report;[21]

2. *Considers* that the maintenance of appropriate conditions for the normal work of the delegations and the missions accredited to the United Nations and the observance of their privileges and immunities, which is an issue of great importance, are in the interest of the United Nations and all Member States, and requests the host country to continue to solve, through negotiations, problems that might arise and to take all measures necessary to prevent any interference with the functioning of missions;

3. *Welcomes* the decision of the Committee to conduct a detailed review of the implementation of the Parking Programme for Diplomatic Vehicles,[24] as recommended by the Legal Counsel in his opinion on 24 September 2002,[25] with

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[19] See resolutions 32/151, para. 10, and 37/111, para. 5, and all subsequent resolutions on the annual reports of the International Law Commission to the General Assembly.

[20] The draft resolution recommended in the report was sponsored in the Committee by: Bulgaria, Canada, Costa Rica, Côte d'Ivoire, Cyprus and Spain.

[21] *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 26* (A/58/26).

[22] Resolution 22 A (I).

[23] See resolution 169 (II).

[24] A/AC.154/355, annex.

[25] A/AC.154/358, annex.

a view to addressing the problems experienced by some permanent missions during the first year of the Programme, and ensuring its proper implementation in a manner that is fair, non-discriminatory, effective and consistent with international law;

4. *Expresses its appreciation* for the efforts made by the host country, and hopes that the issues raised at the meetings of the Committee will continue to be resolved in a spirit of cooperation and in accordance with international law;

5. *Notes* that during the reporting period the travel controls previously imposed by the host country on staff of certain missions and staff members of the Secretariat of certain nationalities remained in effect, and requests the host country to consider removing such travel controls, and in this regard notes the positions of affected States, of the Secretary-General and of the host country;

6. *Notes also* that the Committee anticipates that the host country will continue to ensure the issuance, in a timely manner, of entry visas to representatives of Member States, pursuant to article IV, section 11, of the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations,[23] inter alia, for the purpose of their attending official United Nations meetings;

7. *Requests* the Secretary-General to remain actively engaged in all aspects of the relations of the United Nations with the host country;

8. *Requests* the Committee to continue its work in conformity with General Assembly resolution 2819 (XXVI);

9. *Decides* to include in the provisional agenda of its fifty-ninth session the item entitled "Report of the Committee on Relations with the Host Country".

RESOLUTION 58/79

Adopted at the 72nd plenary meeting, on 9 December 2003, without a vote, on the recommendation of the Committee (A/58/516, para. 8)[26]

58/79. International Criminal Court

The General Assembly,

Recalling its resolutions 47/33 of 25 November 1992, 48/31 of 9 December 1993, 49/53 of 9 December 1994, 50/46 of 11 December 1995, 51/207 of 17 December 1996, 52/160 of 15 December 1997, 53/105 of 8 December 1998, 54/105 of 9 December 1999, 55/155 of 12 December 2000, 56/85 of 12 December 2001 and 57/23 of 19 November 2002,

Noting that the Rome Statute of the International Criminal Court was adopted on 17 July 1998[27] and entered into force on 1 July 2002,

Noting also that with the election of the judges and the Prosecutor and the appointment of the Registrar, the International Criminal Court is fully constituted,

Reiterating the historic significance of the adoption of the Rome Statute of the International Criminal Court,

1. *Calls upon* all States that are not yet parties to the Rome Statute of the International Criminal Court[27] to consider ratifying it or acceding to it without delay, and encourages efforts aimed at promoting awareness of the results of the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court, held in Rome from 15 June to 17 July 1998, the provisions of the Statute and the process leading to the establishment of the International Criminal Court;

2. *Calls upon* all States to consider becoming parties to the Agreement on the Privileges and Immunities of the International Criminal Court without delay;[28]

3. *Welcomes* the holding of the first and second resumptions of the first session and the second session of the Assembly of States Parties, in New York from 3 to 7 February and 21 to 23 April 2003 and from 8 to 12 September 2003, respectively, and also welcomes the election of judges and the Prosecutor and the adoption of a number of instruments;[29]

4. *Takes note* of the establishment of the Special Working Group on the Crime of Aggression by the Assembly of States Parties to the Rome Statute of the International Criminal Court, open to all States on an equal footing, and of the possibility that at some future time the meeting of that working group may be held at United Nations Headquarters;

5. *Expresses its appreciation* to the Secretary-General for providing effective and efficient assistance in the establishment of the International Criminal Court;

6. *Welcomes* the establishment of the Permanent Secretariat of the Assembly of States Parties to the Rome Statute of the International Criminal Court;

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[26] The draft resolution recommended in the report was introduced by the representative of the Netherlands on behalf of the Bureau.

[27] *Official Records of the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court, Rome, 15 June–17 July 1998*, vol. I: *Final documents* (United Nations publication, Sales No. E.02.I.5), sect. A.

[28] *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, First session, New York, 3–10 September 2002* (United Nations publication, Sales No. E.03.V.2 and corrigendum), part II.E.

[29] The Staff Regulations of the International Criminal Court and a resolution on the establishment of the Permanent Secretariat of the Assembly of States Parties to the International Criminal Court.

7. *Recognizes* the need for an orderly and smooth transition of work from the Secretariat of the United Nations to the secretariat of the Assembly of States Parties to the Rome Statute of the International Criminal Court;

8. *Invites* the Secretary-General to take steps to conclude a relationship agreement between the United Nations and the International Criminal Court and to submit the negotiated draft agreement to the General Assembly for approval;

9. *Decides* to include in the provisional agenda of its fifty-ninth session the item entitled "International Criminal Court".

RESOLUTION 58/80

Adopted at the 72nd plenary meeting, on 9 December 2003, without a vote, on the recommendation of the Committee (A/58/517, para. 12)[30]

58/80. Implementation of the provisions of the Charter of the United Nations related to assistance to third States affected by the application of sanctions

The General Assembly,

Concerned about the special economic problems confronting certain States arising from the carrying out of preventive or enforcement measures taken by the Security Council against other States, and taking into account the obligation of Members of the United Nations under Article 49 of the Charter of the United Nations to join in affording mutual assistance in carrying out the measures decided upon by the Security Council,

Recalling the right of third States confronted with special economic problems of that nature to consult the Security Council with regard to a solution of those problems, in accordance with Article 50 of the Charter,

Recognizing the desirability of the consideration of further appropriate procedures for consultations to deal in a more effective manner with the problems referred to in Article 50 of the Charter,

Recalling:

(*a*) The report of the Secretary-General entitled "An Agenda for Peace",[31] in particular paragraph 41 thereof,

(*b*) Its resolution 47/120 A of 18 December 1992, entitled "An Agenda for Peace: preventive diplomacy and related matters", its resolution 47/120 B of 20 September 1993, entitled "An Agenda for Peace", in particular section IV thereof, entitled "Special economic problems arising from the implementation of preventive or enforcement measures", and its resolution 51/242 of 15 September 1997, entitled "Supplement to an Agenda for Peace", in particular annex II thereto, entitled "Question of sanctions imposed by the United Nations",

(*c*) The position paper of the Secretary-General entitled "Supplement to an Agenda for Peace",[32]

(*d*) The statement by the President of the Security Council of 22 February 1995,[33]

(*e*) The report of the Secretary-General[34] prepared pursuant to the statement by the President of the Security Council[35] regarding the question of special economic problems of States as a result of sanctions imposed under Chapter VII of the Charter,

(*f*) The annual overview reports of the Administrative Committee on Coordination for the period from 1992 to 2000[36] and the annual overview reports of the United Nations System Chief Executives Board for Coordination for 2001 and 2002,[37] in particular the sections on assistance to countries invoking Article 50 of the Charter,

(*g*) The reports of the Secretary-General on economic assistance to States affected by the implementation of the Security Council resolutions imposing sanctions against the Federal Republic of Yugoslavia[38] and General Assembly resolutions 48/210 of 21 December 1993, 49/21 A of 2 December 1994, 50/58 E of 12 December 1995, 51/30 A of 5 December 1996, 52/169 H of 16 December 1997, 54/96 G of 15 December 1999, 55/170 of 14 December 2000 and 56/110 of 14 December 2001,

(*h*) The reports of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization on the work of its sessions held in the years 1994 to 2003,[39]

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[30] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Brazil, Bulgaria, Chile, China, Egypt, Malaysia, Russian Federation, Sierra Leone, the former Yugoslav Republic of Macedonia, Turkey, Uganda and Ukraine.

[31] A/47/277-S/24111.

[32] A/50/60-S/1995/1.

[33] S/PRST/1995/9; see *Resolutions and Decisions of the Security Council, 1995*.

[34] A/48/573-S/26705.

[35] S/25036; see *Resolutions and Decisions of the Security Council, 1992*.

[36] E/1993/81, E/1994/19, E/1995/21, E/1996/18 and Add.1, E/1997/54 and Corr.1, E/1998/21, E/1999/48, E/2000/53 and E/2001/55.

[37] E/2002/55 and E/2003/55.

[38] A/49/356, A/50/423, A/51/356, A/52/535, A/54/534, A/55/620 and Corr.1, A/56/632 and A/58/358.

(*i*) The reports of the Secretary-General on the implementation of the provisions of the Charter related to assistance to third States affected by the application of sanctions under Chapter VII of the Charter,[40]

(*j*) The report of the Secretary-General to the Millennium Assembly of the United Nations,[41] in particular section IV.E thereof, entitled "Targeting sanctions",

(*k*) The United Nations Millennium Declaration,[42] in particular paragraph 9 thereof,

(*l*) The report of the Secretary-General entitled "Road map towards implementation of the United Nations Millennium Declaration",[43] in particular paragraphs 56 to 61 thereof,

(*m*) The report of the Committee for Programme and Coordination on the work of its forty-third session, in particular the recommendation that the Chief Executives Board play a role in better coordinating the analysis of the problems of the countries invoking Article 50 of the Charter, and the development of new methodologies to identify the damage to affected States and new mechanisms to determine the appropriate compensation for them,[44]

Taking note of the report of the Secretary-General on the work of the Organization,[45] in particular paragraphs 68 and 69 thereof,

Recalling that the question of assistance to third States affected by the application of sanctions has been addressed recently in several forums, including the General Assembly, the Security Council, the Economic and Social Council and their subsidiary organs,

Recalling also the measures taken by the Security Council, in accordance with the statement by the President of the Security Council of 16 December 1994,[46] that, as part of the effort of the Council to improve the flow of information and the exchange of ideas between members of the Council and other States Members of the United Nations, there should be increased recourse to open meetings, in particular at an early stage in its consideration of a subject,

Recalling further the measures taken by the Security Council in accordance with the note by the President of the Security Council of 29 January 1999[47] aimed at improving the work of the sanctions committees, including increasing the effectiveness and transparency of those committees,

Stressing that, in the formulation of sanctions regimes, due account should be taken of the potential effects of sanctions on third States,

Stressing also, in this context, the powers of the Security Council under Chapter VII of the Charter and the primary responsibility of the Council under Article 24 of the Charter for the maintenance of international peace and security in order to ensure prompt and effective action by the United Nations,

Recalling that, under Article 31 of the Charter, any Member of the United Nations that is not a member of the Security Council may participate, without vote, in the discussion of any question brought before the Council whenever the latter considers that the interests of that Member are specially affected,

Recognizing that the imposition of sanctions under Chapter VII of the Charter has been causing special economic problems in third States and that it is necessary to intensify efforts to address those problems effectively,

Taking into consideration the views of third States which could be affected by the imposition of sanctions,

Recognizing that assistance to third States affected by the application of sanctions would further contribute to an effective and comprehensive approach by the international community to sanctions imposed by the Security Council,

Recognizing also that the international community at large and, in particular, international institutions involved in providing economic and financial assistance should continue to take into account and address in a more effective manner the special economic problems of affected third States arising from the carrying out of preventive or enforcement measures taken by the Security Council under Chapter VII of the Charter, in view of their magnitude and of the adverse impact on the economies of those States,

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[39] *Official Records of the General Assembly, Forty-ninth Session, Supplement No. 33* (A/49/33); ibid., *Fiftieth Session, Supplement No. 33* (A/50/33); ibid., *Fifty-first Session, Supplement No. 33* (A/51/33); ibid., *Fifty-second Session, Supplement No. 33* and corrigendum (A/52/33 and Corr.1); ibid., *Fifty-third Session, Supplement No. 33* (A/53/33); ibid., *Fifty-fourth Session, Supplement No. 33* and corrigendum (A/54/33 and Corr.1); ibid., *Fifty-fifth Session, Supplement No. 33* (A/55/33); ibid., *Fifty-sixth Session, Supplement No. 33* (A/56/33); ibid., *Fifty-seventh Session, Supplement No. 33* (A/57/33); and ibid., *Fifty-eighth Session, Supplement No. 33* (A/58/33).

[40] A/50/361, A/51/317, A/52/308, A/53/312, A/54/383 and Add.1, A/55/295 and Add.1, A/56/303, A/57/165 and Add.1 and A/58/346.

[41] A/54/2000.

[42] See resolution 55/2.

[43] A/56/326; see also the report of the Secretary-General on the implementation of the United Nations Millennium Declaration (A/58/323), para. 23.

[44] *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 16* (A/58/16), para. 581.

[45] Ibid., *Supplement No. 1* (A/58/1).

[46] See S/PRST/1994/81; see *Resolutions and Decisions of the Security Council, 1994*.

[47] S/1999/92; see *Resolutions and Decisions of the Security Council, 1999*.

Recalling the provisions of its resolutions 50/51 of 11 December 1995, 51/208 of 17 December 1996, 52/162 of 15 December 1997, 53/107 of 8 December 1998, 54/107 of 9 December 1999, 55/157 of 12 December 2000, 56/87 of 12 December 2001 and 57/25 of 19 November 2002,

1. *Renews its invitation* to the Security Council to consider the establishment of further mechanisms or procedures, as appropriate, for consultations as early as possible under Article 50 of the Charter of the United Nations with third States which are or may be confronted with special economic problems arising from the carrying out of preventive or enforcement measures imposed by the Council under Chapter VII of the Charter, with regard to a solution of those problems, including appropriate ways and means for increasing the effectiveness of its methods and procedures applied in the consideration of requests by the affected States for assistance;

2. *Welcomes* the measures taken by the Security Council since the adoption of General Assembly resolution 50/51, most recently the note by the President of the Security Council of 15 January 2002,[48] whereby the members of the Security Council agreed to extend the mandate of the informal working group of the Council established in 2000[49] to develop general recommendations on how to improve the effectiveness of United Nations sanctions, looks forward to the adoption of the proposed outcome document of the working group, in particular those provisions thereof regarding the issues of the unintended impact of sanctions and assistance to States in implementing sanctions, and strongly recommends that the Council continue its efforts to enhance further the effectiveness and transparency of the sanctions committees, to streamline their working procedures and to facilitate access to them by representatives of States that find themselves confronted with special economic problems arising from the carrying out of sanctions;

3. *Invites* the Security Council, its sanctions committees and the Secretariat to continue to ensure, as appropriate, that:

(*a*) Both pre-assessment reports and ongoing assessment reports include as part of their analysis the likely and actual unintended impact of the sanctions on third States and recommend ways in which the negative impact of sanctions can be mitigated;

(*b*) Sanctions committees provide opportunities for third States affected by sanctions to brief them on the unintended impact of sanctions they are experiencing and on assistance needed by them to mitigate the negative impact of sanctions;

(*c*) The Secretariat continues to provide, upon request, advice and information to third States to help them to pursue means to mitigate the unintended impact of sanctions, for example, on invoking Article 50 of the Charter for consultation with the Security Council;

(*d*) Where economic sanctions have had severe effects on third States, the Security Council is able to request the Secretary-General to consider appointing a special representative or dispatching, as necessary, fact-finding missions on the ground to undertake necessary assessments and to identify, as appropriate, possible ways of assistance;

(*e*) The Security Council is able, in the context of situations referred to in subparagraph (*d*) above, to consider establishing working groups to consider such situations;

4. *Requests* the Secretary-General to pursue the implementation of General Assembly resolutions 50/51, 51/208, 52/162, 53/107, 54/107, 55/157, 56/87 and 57/25 and to ensure that the competent units within the Secretariat develop the adequate capacity and appropriate modalities, technical procedures and guidelines to continue, on a regular basis, to collate and coordinate information about international assistance available to third States affected by the implementation of sanctions, to continue developing a possible methodology for assessing the adverse consequences actually incurred by third States and to explore innovative and practical measures of assistance to the affected third States;

5. *Welcomes* the report of the Secretary-General containing a summary of the deliberations and main findings of the ad hoc expert group meeting on developing a methodology for assessing the consequences incurred by third States as a result of preventive or enforcement measures and on exploring innovative and practical measures of international assistance to the affected third States,[50] and renews its invitation to States and relevant international organizations within and outside the United Nations system which have not yet done so to provide their views regarding the report of the ad hoc expert group meeting;

6. *Takes note* of the most recent report of the Secretary-General on this question[51] and, in particular, of his views on the deliberations and main findings, including the recommendations of the ad hoc expert group on the implementation of the provisions of the Charter related to assistance to third States affected by the application of sanctions, as well as the views of States, the organizations of the United Nations system, international financial institutions and other international organizations, as contained in the previous reports of the Secretary-General;[52]

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[48] S/2002/70; see *Resolutions and Decisions of the Security Council, 1 January 2001–31 July 2002.*

[49] S/2000/319.

[50] A/53/312.

[51] A/58/346.

[52] See A/54/383 and Add.1, A/55/295 and Add.1 and A/57/165 and Add.1.

7. *Reaffirms* the important role of the General Assembly, the Economic and Social Council and the Committee for Programme and Coordination in mobilizing and monitoring, as appropriate, the economic assistance efforts of the international community and the United Nations system on behalf of States confronted with special economic problems arising from the carrying out of preventive or enforcement measures imposed by the Security Council and, as appropriate, in identifying solutions to the special economic problems of those States;

8. *Takes note* of the decision of the Economic and Social Council, in its resolution 2000/32 of 28 July 2000, to continue its consideration of the question of assistance to third States affected by the application of sanctions, invites the Council, at its organizational session for 2004, to make appropriate arrangements for this purpose within its programme of work for 2004, further invites the Council to continue its consideration of the question of assistance to third States affected by the application of sanctions, and decides to transmit the most recent report of the Secretary-General on the implementation of the provisions of the Charter related to assistance to third States affected by the application of sanctions, together with the relevant background materials, to the Council at its substantive session of 2004;

9. *Invites* the organizations of the United Nations system, international financial institutions, other international organizations, regional organizations and Member States to address more specifically and directly, where appropriate, the special economic problems of third States affected by sanctions imposed under Chapter VII of the Charter and, for this purpose, to consider improving procedures for consultations to maintain a constructive dialogue with such States, including through regular and frequent meetings, as well as, where appropriate, special meetings between the affected third States and the donor community, with the participation of United Nations agencies and other international organizations;

10. *Requests* the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization, at its session in 2004, to continue to consider on a priority basis the question of the implementation of the provisions of the Charter related to assistance to third States affected by the application of sanctions under Chapter VII of the Charter by commencing a substantive debate on all of the related reports of the Secretary-General, in particular the 1998 report containing a summary of the deliberations and main findings of the ad hoc expert group meeting convened pursuant to paragraph 4 of General Assembly resolution 52/162,[50] together with the most recent report of the Secretary-General on this question,[51] taking into consideration the forthcoming report of the informal working group of the Security Council on general issues relating to sanctions, the proposals submitted on the question, the debate on the question in the Sixth Committee during the fifty-eighth session of the Assembly and the text on the question of sanctions imposed by the United Nations contained in annex II to Assembly resolution 51/242, as well as the implementation of the provisions of Assembly resolutions 50/51, 51/208, 52/162, 53/107, 54/107, 55/157, 56/87, 57/25 and the present resolution;

11. *Decides* to consider within the Sixth Committee or a working group of the Committee, at the fifty-ninth session of the General Assembly, further progress in the elaboration of effective measures aimed at the implementation of the provisions of the Charter related to assistance to third States affected by the application of sanctions under Chapter VII of the Charter;

12. *Requests* the Secretary-General to submit a report on the implementation of the present resolution to the General Assembly at its fifty-ninth session, under the agenda item entitled "Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization".

RESOLUTION 58/81

Adopted at the 72nd plenary meeting, on 9 December 2003, without a vote, on the recommendation of the Committee (A/58/518, para. 10)[53]

58/81. Measures to eliminate international terrorism

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations,

Recalling the Declaration on the Occasion of the Fiftieth Anniversary of the United Nations,[54]

Recalling also the United Nations Millennium Declaration,[55]

Recalling further all General Assembly and Security Council resolutions on measures to eliminate international terrorism,

Convinced of the importance of the consideration of measures to eliminate international terrorism by the General Assembly as the universal organ having competence to do so,

Deeply disturbed by the persistence of terrorist acts, which have been carried out worldwide,

Reaffirming its strong condemnation of the heinous acts of terrorism that have caused enormous loss of human life, destruction and damage, including those which prompted the adoption of General Assembly resolution 56/1 of 12 September

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[53] The draft resolution recommended in the report was introduced by the representative of Australia on behalf of the Bureau.

[54] See resolution 50/6.

[55] See resolution 55/2.

2001, as well as Security Council resolutions 1368 (2001) of 12 September 2001, 1373 (2001) of 28 September 2001 and 1377 (2001) of 12 November 2001, and those that have occurred since the adoption of General Assembly resolution 57/27 of 19 November 2002,

Recalling its strong condemnation of the atrocious and deliberate attack against the headquarters of the United Nations Assistance Mission for Iraq in Baghdad on 19 August 2003 in General Assembly resolution 57/338 of 15 September 2003 and Security Council resolution 1502 (2003) of 26 August 2003,

Stressing the need to strengthen further international cooperation among States and among international organizations and agencies, regional organizations and arrangements and the United Nations in order to prevent, combat and eliminate terrorism in all its forms and manifestations, wherever and by whomsoever committed, in accordance with the principles of the Charter, international law and the relevant international conventions,

Noting the role of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism in monitoring the implementation of that resolution, including the taking of the necessary financial, legal and technical measures by States and the ratification or acceptance of the relevant international conventions and protocols,

Mindful of the need to enhance the role of the United Nations and the relevant specialized agencies in combating international terrorism, and of the proposals of the Secretary-General to enhance the role of the Organization in this respect,

Mindful also of the essential need to strengthen international, regional and subregional cooperation aimed at enhancing the national capacity of States to prevent and suppress effectively international terrorism in all its forms and manifestations,

Recalling the Declaration on Measures to Eliminate International Terrorism, contained in the annex to General Assembly resolution 49/60 of 9 December 1994, wherein the Assembly encouraged States to review urgently the scope of the existing international legal provisions on the prevention, repression and elimination of terrorism in all its forms and manifestations, with the aim of ensuring that there was a comprehensive legal framework covering all aspects of the matter,

Taking note of the final document of the Thirteenth Conference of Heads of State or Government of Non-Aligned Countries, adopted in Kuala Lumpur on 25 February 2003,[56] which reiterated the collective position of the Movement of Non-Aligned Countries on terrorism and reaffirmed the previous initiative of the Twelfth Conference of Heads of State or Government of Non-Aligned Countries, held at Durban, South Africa, from 29 August to 3 September 1998,[57] calling for an international summit conference under the auspices of the United Nations to formulate a joint organized response of the international community to terrorism in all its forms and manifestations, as well as other relevant initiatives,

Bearing in mind the recent developments and initiatives at the international, regional and subregional levels to prevent and suppress international terrorism,

Recalling its decision in resolutions 54/110 of 9 December 1999, 55/158 of 12 December 2000, 56/88 of 12 December 2001 and 57/27 that the Ad Hoc Committee established by General Assembly resolution 51/210 of 17 December 1996 should address, and keep on its agenda, the question of convening a high-level conference under the auspices of the United Nations to formulate a joint organized response of the international community to terrorism in all its forms and manifestations,

Aware of General Assembly resolution 57/219 of 18 December 2002,

Noting regional efforts to prevent, combat and eliminate terrorism in all its forms and manifestations, wherever and by whomsoever committed, including through the elaboration of and adherence to regional conventions,

Having examined the report of the Secretary-General,[58] the report of the Ad Hoc Committee established by General Assembly resolution 51/210 of 17 December 1996[59] and the report of the Working Group of the Sixth Committee established pursuant to resolution 57/27,[60]

1. *Strongly condemns* all acts, methods and practices of terrorism as criminal and unjustifiable, wherever and by whomsoever committed;

2. *Reiterates* that criminal acts intended or calculated to provoke a state of terror in the general public, a group of persons or particular persons for political purposes are in any circumstances unjustifiable, whatever the considerations of a political, philosophical, ideological, racial, ethnic, religious or other nature that may be invoked to justify them;

3. *Reiterates its call* upon all States to adopt further measures in accordance with the Charter of the United Nations and the relevant provisions of international law, including international standards of human rights, to prevent terrorism and

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[56] A/57/759-S/2003/332, annex I.

[57] See A/53/667-S/1998/1071, annex I, paras. 149–162.

[58] A/58/116 and Add.1.

[59] *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 37* (A/58/37).

[60] A/C.6/58/L.10.

to strengthen international cooperation in combating terrorism and, to that end, to consider in particular the implementation of the measures set out in paragraphs 3 *(a)* to *(f)* of resolution 51/210;

4. *Also reiterates its call* upon all States, with the aim of enhancing the efficient implementation of relevant legal instruments, to intensify, as and where appropriate, the exchange of information on facts related to terrorism and, in so doing, to avoid the dissemination of inaccurate or unverified information;

5. *Reiterates its call* upon States to refrain from financing, encouraging, providing training for or otherwise supporting terrorist activities;

6. *Reaffirms* that international cooperation as well as actions by States to combat terrorism should be conducted in conformity with the principles of the Charter, international law and relevant international conventions;

7. *Urges* all States that have not yet done so to consider, as a matter of priority, and in accordance with Security Council resolution 1373 (2001), becoming parties to the relevant conventions and protocols as referred to in paragraph 6 of General Assembly resolution 51/210, as well as the International Convention for the Suppression of Terrorist Bombings[61] and the International Convention for the Suppression of the Financing of Terrorism,[62] and calls upon all States to enact, as appropriate, the domestic legislation necessary to implement the provisions of those conventions and protocols, to ensure that the jurisdiction of their courts enables them to bring to trial the perpetrators of terrorist acts, and to cooperate with and provide support and assistance to other States and relevant international and regional organizations to that end;

8. *Urges* States to cooperate with the Secretary-General and with one another, as well as with interested intergovernmental organizations, with a view to ensuring, where appropriate within existing mandates, that technical and other expert advice is provided to those States requiring and requesting assistance in becoming parties to the conventions and protocols referred to in paragraph 7 above;

9. *Notes with appreciation and satisfaction* that, consistent with the call contained in paragraph 7 of resolution 57/27, a number of States became parties to the relevant conventions and protocols referred to therein, thereby realizing the objective of wider acceptance and implementation of those conventions;

10. *Reaffirms* the Declaration on Measures to Eliminate International Terrorism, contained in the annex to resolution 49/60, and the Declaration to Supplement the 1994 Declaration on Measures to Eliminate International Terrorism, contained in the annex to resolution 51/210, and calls upon all States to implement them;

11. *Urges* all States and the Secretary-General, in their efforts to prevent international terrorism, to make the best use of the existing institutions of the United Nations;

12. *Welcomes* the efforts of the Terrorism Prevention Branch of the United Nations Office on Drugs and Crime in Vienna, after reviewing existing possibilities within the United Nations system, to enhance, through its mandate, the capabilities of the United Nations in the prevention of terrorism, and recognizes, in the context of Security Council resolution 1373 (2001), its role in assisting States in becoming parties to, and implementing, the relevant international conventions and protocols relating to terrorism;

13. *Invites* regional intergovernmental organizations to submit to the Secretary-General information on the measures they have adopted at the regional level to eliminate international terrorism;

14. *Welcomes* the important progress attained in the elaboration of the draft comprehensive convention on international terrorism during the meetings of the Ad Hoc Committee established by General Assembly resolution 51/210 of 17 December 1996 and the Working Group of the Sixth Committee established pursuant to General Assembly resolution 57/27;

15. *Decides* that the Ad Hoc Committee shall continue to elaborate a draft comprehensive convention on international terrorism, shall continue its efforts to resolve the outstanding issues relating to the elaboration of a draft international convention for the suppression of acts of nuclear terrorism as a means of further developing a comprehensive legal framework of conventions dealing with international terrorism, and shall keep on its agenda the question of convening a high-level conference under the auspices of the United Nations to formulate a joint organized response of the international community to terrorism in all its forms and manifestations;

16. *Decides also* that the Ad Hoc Committee shall meet from 28 June to 2 July 2004 to continue the elaboration of a draft comprehensive convention on international terrorism, with appropriate time allocated to the continued consideration of outstanding issues relating to the elaboration of a draft international convention for the suppression of acts of nuclear terrorism, that it shall keep on its agenda the question of convening a high-level conference under the auspices of the United Nations to formulate a joint organized response of the international community to terrorism in all its forms and manifestations, and that the work shall continue, if necessary, during the fifty-ninth session of the General Assembly, within the framework of a working group of the Sixth Committee;

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[61] Resolution 52/164, annex.

[62] Resolution 54/109, annex.

17. *Requests* the Secretary-General to continue to provide the Ad Hoc Committee with the necessary facilities for the performance of its work;

18. *Requests* the Ad Hoc Committee to report to the General Assembly at its fifty-eighth session in the event of the completion of the draft comprehensive convention on international terrorism or the draft international convention for the suppression of acts of nuclear terrorism;

19. *Also requests* the Ad Hoc Committee to report to the General Assembly at its fifty-ninth session on progress made in the implementation of its mandate;

20. *Decides* to include in the provisional agenda of its fifty-ninth session the item entitled "Measures to eliminate international terrorism".

RESOLUTION 58/82

Adopted at the 72nd plenary meeting, on 9 December 2003, without a vote, on the recommendation of the Committee (A/58/519, para. 10)[63]

58/82. Scope of legal protection under the Convention on the Safety of United Nations and Associated Personnel

The General Assembly,

Recalling its resolution 57/28 of 19 November 2002 on the scope of legal protection under the Convention on the Safety of United Nations and Associated Personnel, as well as the adoption by the Security Council of resolution 1502 (2003) on 26 August 2003,

Recalling also its resolution 57/338 of 15 September 2003, in which it strongly condemned the atrocious and deliberate attack against the headquarters of the United Nations Assistance Mission for Iraq in Baghdad on 19 August 2003,

Recalling further its resolution 49/59 of 9 December 1994, by which it adopted the Convention on the Safety of United Nations and Associated Personnel,

Recalling the letter dated 24 October 2000 addressed to the President of the Security Council on behalf of the global staff of the United Nations system,[64] drawing attention to the safety and security problems faced by United Nations and associated personnel,

Recalling also the report of the Secretary-General[65] on the scope of legal protection under the Convention on the Safety of United Nations and Associated Personnel and the recommendations contained therein, and also recalling the further report of the Secretary-General[66] on this issue,

Reaffirming the need to promote and ensure respect for the principles and rules of international law, including international humanitarian law, as well as relevant provisions of human rights and refugee law,

Reaffirming also the obligation of all humanitarian personnel and United Nations and associated personnel to respect the national laws of the country in which they are operating, in accordance with international law and the Charter of the United Nations,

Deeply concerned by the increasing dangers and security risks faced by United Nations and associated personnel at the field level, and mindful of the need to provide the fullest possible protection for their security,

Expressing its concern that locally recruited personnel are particularly vulnerable to attacks directed at the United Nations,

Deeply concerned that perpetrators of attacks against United Nations and associated personnel seemingly operate with impunity,

Welcoming the recent increase in the number of States that have become parties to the Convention, which entered into force on 15 January 1999, and noting that the Convention has been ratified or acceded to by sixty-nine States as at the date of the present resolution,

Mindful of the need to promote the universality of the Convention,

Having considered the report of the Ad Hoc Committee on the Scope of Legal Protection under the Convention on the Safety of United Nations and Associated Personnel,[67] established pursuant to resolution 56/89 of 12 December 2001, and the report of the Working Group of the Sixth Committee,[68]

1. *Expresses its appreciation* for the work done by the Ad Hoc Committee on the Scope of Legal Protection under the Convention on the Safety of United Nations and Associated Personnel;

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[63] The draft resolution recommended in the report was sponsored in the Committee by: Argentina, Australia, Austria, Belgium, Bulgaria, Canada, Chile, Croatia, Cyprus, Czech Republic, Denmark, Fiji, Finland, France, Germany, Ghana, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Italy, Japan, Liechtenstein, Madagascar, Mali, Malta, Monaco, Nauru, Netherlands, New Zealand, Norway, Papua New Guinea, Portugal, Republic of Korea, Romania, Samoa, Sierra Leone, Slovakia, Slovenia, Spain, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Tuvalu and Ukraine and United Kingdom of Great Britain and Northern Ireland.

[64] S/2000/1133, annex.

[65] A/55/637.

[66] A/58/187.

[67] *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 52* (A/58/52).

[68] A/C.6/58/L.16.

2. *Urges* States to take all necessary measures, in accordance with their international obligations, to prevent crimes against United Nations and associated personnel from occurring;

3. *Also urges* States to ensure that crimes against United Nations and associated personnel do not go unpunished and that the perpetrators of such crimes are brought to justice;

4. *Affirms* the obligation of all States to comply fully with their obligations under the relevant rules and principles of international law in relation to the safety and security of United Nations and associated personnel;

5. *Calls upon* all States to consider becoming parties to and to respect fully their obligations under the relevant international instruments, in particular the Convention on the Safety of United Nations and Associated Personnel;

6. *Recommends* that the Secretary-General continue to seek the inclusion of, and that host countries include, key provisions of the Convention, including those regarding the prevention of attacks against members of the operation, the establishment of such attacks as crimes punishable by law and the prosecution or extradition of offenders, in future as well as, if necessary, in existing status-of-forces, status-of-mission and host country agreements negotiated between the United Nations and those countries, mindful of the importance of the timely conclusion of such agreements;

7. *Recommends also* that, consistent with his existing authority, the Secretary-General advise the Security Council or the General Assembly, as appropriate, where in his assessment circumstances would support a declaration of exceptional risk for the purposes of article 1 (*c*) (ii) of the Convention;

8. *Confirms* that, consistent with his existing authority, the Secretary-General, who has knowledge of the facts and easy access to the information, may provide information, upon the request of a State, on matters of fact relevant to the application of the Convention, such as the fact and content of any declaration of exceptional risk by the Security Council or the General Assembly or any agreement concluded between the United Nations and a humanitarian non-governmental organization or agency;

9. *Notes* that the Secretary-General has prepared a standardized provision for incorporation into the agreements concluded between the United Nations and humanitarian non-governmental organizations or agencies for the purposes of clarifying the application of the Convention to persons deployed by those organizations or agencies, and requests the Secretary-General to make available to Member States the names of organizations or agencies that have concluded such agreements;

10. *Urges* the Secretary-General and relevant bodies to continue to take such other practical measures as are within their authority and existing institutional mandates to strengthen protection for United Nations and associated personnel, including locally recruited personnel, who are particularly vulnerable and account for the majority of casualties among United Nations or associated personnel;

11. *Decides* that the Ad Hoc Committee established under resolution 56/89 shall reconvene for one week from 12 to 16 April 2004, with a mandate to expand the scope of legal protection under the Convention on the Safety of United Nations and Associated Personnel, including, inter alia, by means of a legal instrument, and that the work shall continue during the fifty-ninth session of the General Assembly within the framework of a working group of the Sixth Committee;

12. *Requests* the Ad Hoc Committee to submit a report on its work to the General Assembly at the fifty-ninth session;

13. *Requests* the Secretary-General to report to the General Assembly at its fifty-ninth session on the measures taken to implement the present resolution;

14. *Decides* to include in the provisional agenda of its fifty-ninth session the item entitled "Scope of legal protection under the Convention on the Safety of United Nations and Associated Personnel".

RESOLUTION 58/83

Adopted at the 72nd plenary meeting, on 9 December 2003, without a vote, on the recommendation of the Committee (A/58/522, para. 8)[69]

58/83. Observer status for the International Institute for Democracy and Electoral Assistance in the General Assembly

The General Assembly,

Wishing to promote cooperation between the United Nations and the International Institute for Democracy and Electoral Assistance,

1. *Decides* to invite the International Institute for Democracy and Electoral Assistance to participate in the sessions and the work of the General Assembly in the capacity of observer;

2. *Requests* the Secretary-General to take the necessary action to implement the present resolution.

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[69] The draft resolution recommended in the report was sponsored in the Committee by: Australia, Belgium, Botswana, Burkina Faso, Canada, Chile, Costa Rica, Democratic Republic of the Congo, Denmark, Finland, Germany, Guatemala, India, Japan, Mauritius, Mexico, Namibia, Netherlands, Nigeria, Norway, Portugal, Republic of Korea, Sierra Leone, South Africa, Spain, Sweden, Switzerland, Uganda and Uruguay.

RESOLUTION 58/84

Adopted at the 72nd plenary meeting, on 9 December 2003, without a vote, on the recommendation of the Committee (A/58/523, para. 8)[70]

58/84. Observer status for the Eurasian Economic Community in the General Assembly

The General Assembly,

Wishing to promote cooperation between the United Nations and the Eurasian Economic Community,

1. *Decides* to invite the Eurasian Economic Community to participate in the sessions and the work of the General Assembly in the capacity of observer;

2. *Requests* the Secretary-General to take the necessary action to implement the present resolution.

RESOLUTION 58/85

Adopted at the 72nd plenary meeting, on 9 December 2003, without a vote, on the recommendation of the Committee (A/58/524, para. 7)[71]

58/85. Observer status for the GUUAM in the General Assembly

The General Assembly,

Wishing to promote cooperation between the United Nations and the GUUAM,

1. *Decides* to invite the GUUAM to participate in the sessions and the work of the General Assembly in the capacity of observer;

2. *Requests* the Secretary-General to take the necessary action to implement the present resolution.

RESOLUTION 58/86

Adopted at the 72nd plenary meeting, on 9 December 2003, without a vote, on the recommendation of the Committee (A/58/525, para. 7)[72]

58/86. Observer status for the East African Community in the General Assembly

The General Assembly,

Wishing to promote cooperation between the United Nations and the East African Community,

1. *Decides* to invite the East African Community to participate in the sessions and the work of the General Assembly in the capacity of observer;

2. *Requests* the Secretary-General to take the necessary action to implement the present resolution.

RESOLUTION 58/87

Adopted at the 72nd plenary meeting, on 9 December 2003, without a vote, on the recommendation of the Committee (A/58/521, para. 6)[73]

58/87. Administration of justice at the United Nations

The General Assembly,

Acknowledging with gratitude the important contribution which the United Nations Administrative Tribunal (the Tribunal) has made to the functioning of the United Nations system, and commending the members of the Tribunal on their valuable work,

Desiring to assist the Tribunal in carrying out its future work as effectively as possible,

Having considered the report of the Advisory Committee on Administrative and Budgetary Questions,[74]

Decides to amend the Statute of the United Nations Administrative Tribunal with effect from 1 January 2004, as follows:

Article 3, paragraph 1, shall be amended to read as follows:

> "The Tribunal shall be composed of seven members, no two of whom may be nationals of the same State. Members shall possess judicial or other relevant legal experience in the field of administrative law or its equivalent within the member's national jurisdiction. Only three members shall sit in any particular case."

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[70] The draft resolution recommended in the report was sponsored in the Committee by: Belarus, Cambodia, Kazakhstan, Kyrgyzstan, Russian Federation, Tajikistan and Ukraine.

[71] The draft resolution recommended in the report was sponsored in the Committee by: Azerbaijan, Georgia, Israel, Republic of Korea, Republic of Moldova, Uganda, Ukraine, United States of America and Uzbekistan.

[72] The draft resolution recommended in the report was sponsored in the Committee by: Australia, Burundi, Cameroon, Costa Rica, Côte d'Ivoire, Djibouti, Gambia, Georgia, Ghana, Guatemala, Kenya, Lesotho, Madagascar, Malawi, Nigeria, Portugal, Rwanda, Sierra Leone, South Africa, Sudan, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America and Zimbabwe.

[73] The draft resolution recommended in the report was introduced by the Chairman of the Committee.

[74] A/57/736.

RESOLUTION 58/248

Adopted at the 79th plenary meeting, on 23 December 2003, without a vote, on the recommendation of the Committee (A/58/517, para. 12)[75]

58/248. Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization

The General Assembly,

Recalling its resolution 3499 (XXX) of 15 December 1975, by which it established the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization, and its relevant resolutions adopted at subsequent sessions,

Recalling also its resolution 47/233 of 17 August 1993 on the revitalization of the work of the General Assembly,

Recalling further its resolution 47/62 of 11 December 1992 on the question of equitable representation on and increase in the membership of the Security Council,

Taking note of the report of the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters Related to the Security Council,[76]

Recalling the elements relevant to the work of the Special Committee contained in its resolution 47/120 B of 20 September 1993,

Recalling also its resolution 51/241 of 31 July 1997 on the strengthening of the United Nations system and its resolution 51/242 of 15 September 1997, entitled "Supplement to an Agenda for Peace", by which it adopted the texts on coordination and the question of sanctions imposed by the United Nations, which are annexed to that resolution,

Recalling further that the International Court of Justice is the principal judicial organ of the United Nations, and reaffirming its authority and independence,

Considering the desirability of finding practical ways and means to strengthen the Court, taking into consideration, in particular, the needs resulting from its increased workload,

Taking note of the progress achieved on the revised working paper on the working methods of the Special Committee, as amended,

Taking note also of the report of the Secretary-General on the *Repertory of Practice of United Nations Organs* and the *Repertoire of the Practice of the Security Council*,[77]

Recalling its resolution 57/24 of 19 November 2002,

Having considered the report of the Special Committee on the work of its session held in 2003,[78]

Noting with appreciation the work done by the Special Committee to encourage States to focus on the need to prevent and to settle peacefully their disputes which are likely to endanger the maintenance of international peace and security,

1. *Takes note* of the report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization;[78]

2. *Decides* that the Special Committee shall hold its next session from 29 March to 8 April 2004;

3. *Requests* the Special Committee, at its session in 2004, in accordance with paragraph 5 of General Assembly resolution 50/52 of 11 December 1995:

(*a*) To continue its consideration of all proposals concerning the question of the maintenance of international peace and security in all its aspects in order to strengthen the role of the United Nations and, in this context, to consider other proposals relating to the maintenance of international peace and security already submitted or which may be submitted to the Special Committee at its session in 2004;

(*b*) To continue to consider, on a priority basis, the question of the implementation of the provisions of the Charter of the United Nations related to assistance to third States affected by the application of sanctions under Chapter VII of the Charter by commencing a substantive debate on all of the related reports of the Secretary-General[79] and the proposals submitted on the question;

(*c*) To keep on its agenda the question of the peaceful settlement of disputes between States;

(*d*) To continue to consider proposals concerning the Trusteeship Council in the light of the report of the Secretary-General submitted in accordance with General Assembly resolution 50/55 of 11 December 1995,[80] the report of the Secretary-General entitled "Renewing the United Nations: a programme for reform"[81] and the views expressed by States on this subject at previous sessions of the Assembly;

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[75] The draft resolution recommended in the report was introduced by the representative of Egypt.

[76] *Official Records of the General Assembly, Fifty-sixth Session, Supplement No. 47* (A/56/47).

[77] A/58/347.

[78] *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 33* (A/58/33).

[79] A/48/573-S/26705, A/49/356, A/50/60-S/1995/1, A/50/361, A/50/423, A/51/317, A/52/308, A/53/312, A/54/383 and Add.1, A/55/295 and Add.1, A/56/303, A/57/165 and Add.1 and A/58/346.

[80] A/50/1011.

(*e*) To continue to consider, on a priority basis, ways and means of improving its working methods and enhancing its efficiency with a view to identifying widely acceptable measures for future implementation;

4. *Invites* the Special Committee at its session in 2004 to continue to identify new subjects for consideration in its future work with a view to contributing to the revitalization of the work of the United Nations;

5. *Notes* the readiness of the Special Committee, in the context of its consideration of the subject of assistance to working groups on the revitalization of the work of the United Nations and coordination between the Special Committee and other working groups dealing with the reform of the Organization, to provide, within its mandate, such assistance as may be sought at the request of other subsidiary bodies of the General Assembly in relation to any issues before them;

6. *Requests* the Special Committee to submit a report on its work to the General Assembly at its fifty-ninth session;

7. *Takes note* of paragraphs 42 and 43 of the report of the Secretary-General,[77] commends the Secretary-General for his continued efforts to reduce the backlog in the publication of the *Repertory of Practice of United Nations Organs*, and endorses the efforts of the Secretary-General to eliminate the backlog in the publication of the *Repertoire of the Practice of the Security Council*;

8. *Encourages* the Secretary-General in his continuous efforts to eliminate the backlog in the publication of the *Repertory of Practice of United Nations Organs* and of the *Repertoire of the Practice of the Security Council*, including by exploring options involving cooperation with academic institutions as a means to achieve this aim without prejudice to the continuation of their timely publication;

9. *Commends* the Secretary-General for his initiative to make *Repertory* studies available on the Internet;

10. *Requests* the Secretary-General to make every effort, within the level of the currently approved budget, towards making available electronically all versions of the *Repertory of Practice of United Nations Organs* as early as possible;

11. *Also requests* the Secretary-General to submit a report on both the *Repertory of Practice of United Nations Organs* and the *Repertoire of the Practice of the Security Council* to the General Assembly at its fifty-ninth session;

12. *Decides* to include in the provisional agenda of its fifty-ninth session the item entitled "Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization".

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[81] A/51/950 and Add.1-7.

Annex I

Allocation of agenda items

Plenary meetings

1. Opening of the session by the President of the General Assembly (item 1).

2. Minute of silent prayer or meditation (item 2).

3. Credentials of representatives to the fifty-eighth session of the General Assembly (item 3):

   (*a*) Appointment of the members of the Credentials Committee;

   (*b*) Report of the Credentials Committee.

4. Election of the President of the General Assembly (item 4).

5. Election of the Vice-Presidents of the General Assembly (item 6).

6. Notification by the Secretary-General under Article 12, paragraph 2, of the Charter of the United Nations (item 7).

7. Organization of work, adoption of the agenda and allocation of items: reports of the General Committee (item 8).

8. General debate (item 9).

9. Report of the Secretary-General on the work of the Organization (item 10).

10. Report of the Security Council (item 11).

11. Report of the Economic and Social Council (item 12).

12. Report of the International Court of Justice (item 13).

13. Report of the International Atomic Energy Agency (item 14).

14. Elections to fill vacancies in principal organs (item 15):

    (*a*) Election of five non-permanent members of the Security Council;

    (*b*) Election of eighteen members of the Economic and Social Council.

15. Elections to fill vacancies in subsidiary organs and other elections (item 16):

    (*a*) Election of forty-three members of the United Nations Commission on International Trade Law;

    (*b*) Election of twenty-nine members of the Governing Council of the United Nations Environment Programme;

    (*c*) Election of seven members of the Committee for Programme and Coordination;

    (*d*) Election of the United Nations High Commissioner for Refugees.

16. Appointments to fill vacancies in subsidiary organs and other appointments (item 17):

    (*f*) Appointment of the members of the Consultative Committee of the United Nations Development Fund for Women;

    (*g*) Appointment of members of the Committee on Conferences;

    (*h*) Appointment of a member of the Joint Inspection Unit;

    (*i*) Confirmation of the appointment of the Secretary-General of the United Nations Conference on Trade and Development.

17. Admission of new Members to the United Nations (item 18).

18. Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (item 19).

19. Support by the United Nations system of the efforts of Governments to promote and consolidate new or restored democracies (item 20).

20. The role of diamonds in fuelling conflict (item 21).

21. Assistance in mine action (item 22).

22. Sport for peace and development (item 23):

    (*a*) Building a peaceful and better world through sport and the Olympic ideal;

    (*b*) International Year of Sport and Physical Education.

23. Implementation of the resolutions of the United Nations (item 24).

24. University for Peace (item 25).

25. The situation in Central America: progress in fashioning a region of peace, freedom, democracy and development (item 26).

26. Zone of peace and cooperation of the South Atlantic (item 27).

27. The situation in Afghanistan and its implications for international peace and security (item 28).

28. Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba (item 29).

29. Armed aggression against the Democratic Republic of the Congo (item 31).

30. Question of the Falkland Islands (Malvinas) (item 32).

31. The situation of democracy and human rights in Haiti (item 33).

32. Armed Israeli aggression against the Iraqi nuclear installations and its grave consequences for the established international system concerning the peaceful uses of nuclear energy, the non-proliferation of nuclear weapons and international peace and security (item 34).

33. Consequences of the Iraqi occupation of and aggression against Kuwait (item 35).

34. Declaration of the Assembly of Heads of State and Government of the Organization of African Unity on the aerial and naval military attack against the Socialist People's Libyan Arab Jamahiriya by the present United States Administration in April 1986 (item 36).

35. The situation in the Middle East (item 37).

36. Question of Palestine (item 38).

37. New Partnership for Africa's Development: progress in implementation and international support (item 39):

    (*a*) New Partnership for Africa's Development: progress in implementation and international support;

    (*b*) Causes of conflict and the promotion of durable peace and sustainable development in Africa.

38. Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance (item 40):

    (*a*) Strengthening of the coordination of emergency humanitarian assistance of the United Nations;

    (*b*) Special economic assistance to individual countries or regions;

    (*c*) Strengthening of international cooperation and coordination of efforts to study, mitigate and minimize the consequences of the Chernobyl disaster;

    (*d*) Participation of volunteers, "White Helmets", in the activities of the United Nations in the field of humanitarian relief, rehabilitation and technical cooperation for development;

(*e*) Assistance to the Palestinian people;

(*f*) Emergency international assistance for peace, normalcy and reconstruction of war-stricken Afghanistan.

39. Follow-up to the outcome of the special session on children (item 41).

40. Follow-up to the United Nations Year for Cultural Heritage (item 42).

41. Return or restitution of cultural property to the countries of origin (item 43).

42. Culture of peace (item 44).

43. Launching of global negotiations on international economic cooperation for development (item 45).

44. Towards global partnerships (item 46).

45. Follow-up to the outcome of the twenty-sixth special session: implementation of the Declaration of Commitment on HIV/AIDS (item 47).

46. Fifty-fifth anniversary of the Universal Declaration of Human Rights (item 48).

47. Information and communication technologies for development (item 49).

48. Integrated and coordinated implementation of and follow-up to the outcomes of the major United Nations conferences and summits in the economic, social and related fields (item 50).

49. 2001–2010: Decade to Roll Back Malaria in Developing Countries, Particularly in Africa (item 51).

50. Oceans and the law of the sea (item 52):

    (*a*) Oceans and the law of the sea;

    (*b*) Sustainable fisheries, including through the 1995 Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, and related instruments.

51. Report of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994 (item 53).

52. Report of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 (item 54).

53. Revitalization of the work of the General Assembly (item 55).

54. Question of equitable representation on and increase in the membership of the Security Council and related matters (item 56).

55. United Nations reform: measures and proposals (item 57).

56. Restructuring and revitalization of the United Nations in the economic, social and related fields (item 58).

57. Strengthening of the United Nations system (item 59).

58. Follow-up to the outcome of the Millennium Summit (item 60).

59. Multilingualism (item 61).

60. Global road safety crisis (item 160).

61. Follow-up to the International Conference on Financing for Development (item 104):

    (*b*) High-level dialogue for the implementation of the outcome of the International Conference on Financing for Development.

62. Human rights questions (item 117):

(*d*) Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action.

63. Crime prevention and criminal justice (item 108).

First Committee

(DISARMAMENT AND INTERNATIONAL SECURITY COMMITTEE)

1. Reduction of military budgets (item 62):
    (*a*) Reduction of military budgets;
    (*b*) Objective information on military matters, including transparency of military expenditures.
2. Verification in all its aspects, including the role of the United Nations in the field of verification (item 63).
3. Implementation of the Declaration of the Indian Ocean as a Zone of Peace (item 64).
4. African Nuclear-Weapon-Free Zone Treaty (item 65).
5. Consolidation of the regime established by the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco) (item 66).
6. Review of the implementation of the Declaration on the Strengthening of International Security (item 67).
7. Developments in the field of information and telecommunications in the context of international security (item 68).
8. Role of science and technology in the context of international security and disarmament (item 69).
9. Establishment of a nuclear-weapon-free zone in the region of the Middle East (item 70).
10. Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons (item 71).
11. Prevention of an arms race in outer space (item 72).
12. General and complete disarmament (item 73):
    (*a*) Notification of nuclear tests;
    (*b*) Prohibition of the dumping of radioactive wastes;
    (*c*) Reduction of non-strategic nuclear weapons;
    (*d*) Towards a nuclear-weapon-free world: the need for a new agenda;
    (*e*) Convening of the fourth special session of the General Assembly devoted to disarmament;
    (*f*) Promotion of multilateralism in the area of disarmament and non-proliferation;
    (*g*) Observance of environmental norms in the drafting and implementation of agreements on disarmament and arms control;
    (*h*) Relationship between disarmament and development;
    (*i*) National legislation on transfer of arms, military equipment and dual-use goods and technology;
    (*j*) Bilateral strategic nuclear arms reductions and the new strategic framework;
    (*k*) Establishment of a nuclear-weapon-free zone in Central Asia;
    (*l*) Assistance to States for curbing the illicit traffic in small arms and collecting them;
    (*m*) Missiles;
    (*n*) The illicit trade in small arms and light weapons in all its aspects;
    (*o*) Nuclear-weapon-free southern hemisphere and adjacent areas;

(*p*) Implementation of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction;

(*q*) Transparency in armaments;

(*r*) Regional disarmament;

(*s*) Conventional arms control at the regional and subregional levels;

(*t*) Nuclear disarmament;

(*u*) Consolidation of peace through practical disarmament measures;

(*v*) Implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction;

(*w*) Measures to prevent terrorists from acquiring weapons of mass destruction;

(*x*) Reducing nuclear danger;

(*y*) Follow-up to the advisory opinion of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons*;

(*z*) United Nations conference to identify ways of eliminating nuclear dangers in the context of nuclear disarmament.

13. Review and implementation of the Concluding Document of the Twelfth Special Session of the General Assembly (item 74):

(*a*) United Nations regional centres for peace and disarmament;

(*b*) Regional confidence-building measures: activities of the United Nations Standing Advisory Committee on Security Questions in Central Africa;

(*c*) United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean;

(*d*) United Nations Regional Centre for Peace and Disarmament in Africa;

(*e*) United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific;

(*f*) Convention on the Prohibition of the Use of Nuclear Weapons.

14. Review of the implementation of the recommendations and decisions adopted by the General Assembly at its tenth special session (item 75):

(*a*) Advisory Board on Disarmament Matters;

(*b*) United Nations Institute for Disarmament Research;

(*c*) Report of the Disarmament Commission;

(*d*) Report of the Conference on Disarmament.

15. The risk of nuclear proliferation in the Middle East (item 76).

16. Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects (item 77).

17. Strengthening of security and cooperation in the Mediterranean region (item 78).

18. Comprehensive Nuclear-Test-Ban Treaty (item 79).

19. Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction (item 80).

20. Election of the officers of the Main Committees (item 5).

Special Political and Decolonization Committee
(Fourth Committee)

1. Effects of atomic radiation (item 81).

2. International cooperation in the peaceful uses of outer space (item 82).

3. United Nations Relief and Works Agency for Palestine Refugees in the Near East (item 83).

4. Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories (item 84).

5. Comprehensive review of the whole question of peacekeeping operations in all their aspects (item 85).

6. Questions relating to information (item 86).

7. Information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter of the United Nations (item 87).

8. Economic and other activities which affect the interests of the peoples of the Non-Self-Governing Territories (item 88).

9. Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations (item 89).

10. Report of the Economic and Social Council (chapter VII, section D) (item 12).

11. Offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories (item 90).

12. Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (item 19).

13. Question of the Falkland Islands (Malvinas) (item 32).

14. Election of the officers of the Main Committees (item 5).

Second Committee

(ECONOMIC AND FINANCIAL COMMITTEE)

1. Macroeconomic policy questions (item 91):

   (*a*) International trade and development;

   (*b*) Science and technology for development;

   (*c*) Specific actions related to the particular needs and problems of landlocked developing countries;

   (*d*) International financial system and development;

   (*e*) External debt crisis and development;

   (*f*) Outcome of the International Ministerial Conference of Landlocked and Transit Developing Countries and Donor Countries and International Financial and Development Institutions on Transit Transport Cooperation;

   (*g*) Commodities.

2. Sectoral policy questions: preventing and combating corrupt practices and transfer of funds of illicit origin and returning such assets to the countries of origin (item 92).

3. Sustainable development and international economic cooperation (item 93):

   (*a*) Women in development;

   (*b*) Human resources development;

   (*c*) International migration and development;

(*d*) Implementation of the Declaration on International Economic Cooperation, in particular the Revitalization of Economic Growth and Development of the Developing Countries, and implementation of the International Development Strategy for the Fourth United Nations Development Decade.

4. Environment and sustainable development (item 94):

   (*a*) Promotion of new and renewable sources of energy, including the implementation of the World Solar Programme 1996–2005;

   (*b*) Implementation of the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa;

   (*c*) Convention on Biological Diversity;

   (*d*) Further implementation of the Programme of Action for the Sustainable Development of Small Island Developing States;

   (*e*) International Strategy for Disaster Reduction;

   (*f*) Protection of global climate for present and future generations of mankind;

   (*g*) Sustainable mountain development.

5. Implementation of Agenda 21, the Programme for the Further Implementation of Agenda 21 and the outcomes of the World Summit on Sustainable Development (item 95).

6. United Nations Decade of Education for Sustainable Development (item 96).

7. Operational activities for development (item 97):

   (*a*) Operational activities for development;

   (*b*) Economic and technical cooperation among developing countries.

8. Implementation of the first United Nations Decade for the Eradication of Poverty (1997–2006) (item 98).

9. Training and research (item 99):

   (*a*) United Nations Institute for Training and Research;

   (*b*) United Nations System Staff College in Turin, Italy.

10. Globalization and interdependence (item 100).

11. Implementation of the outcome of the United Nations Conference on Human Settlements (Habitat II) and of the twenty-fifth special session of the General Assembly (item 101).

12. Third United Nations Conference on the Least Developed Countries (item 102).

13. Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources (item 103).

14. Follow-up to the International Conference on Financing for Development (item 104):

    (*a*) Follow-up to the International Conference on Financing for Development;

    (*b*) High-level dialogue for the implementation of the outcome of the International Conference on Financing for Development.

15. Report of the Economic and Social Council (chapters I to V, chapter VII, sections B to H, and chapter IX) (item 12).

16. Election of the officers of the Main Committees (item 5).

Third Committee

(SOCIAL, HUMANITARIAN AND CULTURAL COMMITTEE)

1. Implementation of the outcome of the World Summit for Social Development and of the twenty-fourth special session of the General Assembly (item 105).

2. Social development, including questions relating to the world social situation and to youth, ageing, disabled persons and the family (item 106).

3. Follow-up to the International Year of Older Persons: Second World Assembly on Ageing (item 107).

4. Crime prevention and criminal justice (item 108).

5. International drug control (item 109).

6. Advancement of women (item 110).

7. Implementation of the outcome of the Fourth World Conference on Women and of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century" (item 111).

8. Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions (item 112).

9. Promotion and protection of the rights of children (item 113).

10. Programme of activities of the International Decade of the World's Indigenous People (item 114).

11. Elimination of racism and racial discrimination (item 115):

    (*a*) Elimination of racism and racial discrimination;

    (*b*) Comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action.

12. Right of peoples to self-determination (item 116).

13. Human rights questions (item 117):

    (*a*) Implementation of human rights instruments;

    (*b*) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms;

    (*c*) Human rights situations and reports of special rapporteurs and representatives;

    (*d*) Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action;

    (*e*) Report of the United Nations High Commissioner for Human Rights.

14. Report of the Economic and Social Council (chapters I, III and V, chapter VII, sections B, C and I, and chapter IX) (item 12).

15. Election of the officers of the Main Committees (item 5).

Fifth Committee

(ADMINISTRATIVE AND BUDGETARY COMMITTEE)

1. Financial reports and audited financial statements, and reports of the Board of Auditors (item 118):

    (*a*) United Nations peacekeeping operations;

    (*b*) Voluntary funds administered by the United Nations High Commissioner for Refugees.

2. Review of the efficiency of the administrative and financial functioning of the United Nations (item 119).

3. Programme budget for the biennium 2002–2003 (item 120).

4. Proposed programme budget for the biennium 2004–2005 (item 121).

5. Programme planning (item 122).

6. Improving the financial situation of the United Nations (item 123).

7. Scale of assessments for the apportionment of the expenses of the United Nations (item 124).

8. Pattern of conferences (item 125).

9. United Nations common system (item 126).

10. Human resources management (item 127).

11. Administration of justice at the United Nations (item 128).

12. Joint Inspection Unit (item 129).

13. Report of the Secretary-General on the activities of the Office of Internal Oversight Services (item 130).

14. Financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994 (item 131).

15. Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 (item 132).

16. Scale of assessments for the apportionment of the expenses of United Nations peacekeeping operations (item 133).

17. Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations (item 134).

18. Financing of the United Nations Angola Verification Mission and the United Nations Observer Mission in Angola (item 135).

19. Financing of the United Nations Mission in Bosnia and Herzegovina (item 136).

20. Financing of the United Nations Mission in Côte d'Ivoire (item 161).

21. Financing of the United Nations Peacekeeping Force in Cyprus (item 137).

22. Financing of the United Nations Organization Mission in the Democratic Republic of the Congo (item 138).

23. Financing of the United Nations Mission in East Timor (item 139).

24. Financing of the United Nations Mission of Support in East Timor (item 140).

25. Financing of the United Nations Mission in Ethiopia and Eritrea (item 141).

26. Financing of the United Nations Observer Mission in Georgia (item 142).

27. Financing of the activities arising from Security Council resolution 687 (1991) (item 143):

    (*a*) United Nations Iraq-Kuwait Observation Mission;

    (*b*) Other activities.

28. Financing of the United Nations Interim Administration Mission in Kosovo (item 144).

29. Financing of the United Nations peacekeeping forces in the Middle East (item 145):

    (*a*) United Nations Disengagement Observer Force;

    (*b*) United Nations Interim Force in Lebanon.

30. Financing of the United Nations Mission in Sierra Leone (item 146).

31. Financing of the United Nations Mission for the Referendum in Western Sahara (item 147).

32. Strengthening of the United Nations system (item 59).

33. Report of the Economic and Social Council (chapter I, chapter VII, sections B and C, and chapter IX) (item 12).

34. Appointments to fill vacancies in subsidiary organs and other appointments (item 17):

    (*a*) Appointment of members of the Advisory Committee on Administrative and Budgetary Questions;

    (*b*) Appointment of members of the Committee on Contributions;

    (*c*) Appointment of a member of the Board of Auditors;

    (*d*) Confirmation of the appointment of members of the Investments Committee;

    (*e*) Appointment of members of the United Nations Administrative Tribunal.

35. Election of the officers of the Main Committees (item 5).

36. Financing of the United Nations Mission in Liberia (item 165).

37. Admission of the International Criminal Court to membership in the United Nations Joint Staff Pension Fund (item 166).

Sixth Committee

(LEGAL COMMITTEE)

1. Progressive development of the principles and norms of international law relating to the new international economic order (item 148).

2. United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law (item 149).

3. Convention on jurisdictional immunities of States and their property (item 150).

4. Report of the United Nations Commission on International Trade Law on the work of its thirty-sixth session (item 151).

5. Report of the International Law Commission on the work of its fifty-fifth session (item 152).

6. Report of the Committee on Relations with the Host Country (item 153).

7. International Criminal Court (item 154).

8. Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization (item 155).

9. Measures to eliminate international terrorism (item 156).

10. Scope of legal protection under the Convention on the Safety of United Nations and Associated Personnel (item 157).

11. International convention against the reproductive cloning of human beings (item 158).

12. Administration of justice at the United Nations (item 128).

13. Observer status for the International Institute for Democracy and Electoral Assistance in the General Assembly (item 159).

14. Observer status for the Eurasian Economic Community in the General Assembly (item 162).

15. Observer status for the GUUAM in the General Assembly (item 163).

16. Observer status for the East African Community in the General Assembly (item 164).

17. Election of the officers of the Main Committees (item 5).

Annex II

Checklist of resolutions

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58/2.	Open-ended panel of the General Assembly on commodities	12	34th	16 October 2003	3
58/3.	Enhancing capacity-building in global public health	60	43rd	27 October 2003	3
58/4.	United Nations Convention against Corruption	108	51st	31 October 2003	4
58/5.	Sport as a means to promote education, health, development and peace	23 (*b*)	52nd	3 November 2003	29
58/6.	Building a peaceful and better world through sport and the Olympic ideal	23 (*a*)	52nd	3 November 2003	31
58/7.	Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba	29	54th	4 November 2003	32
58/8.	Report of the International Atomic Energy Agency	14	55th	4 November 2003	33
58/9.	Global road safety crisis	160	56th	5 November 2003	34
58/10.	Zone of peace and cooperation of the South Atlantic	27	56th	5 November 2003	35
58/11.	International Decade for a Culture of Peace and Non-Violence for the Children of the World, 2001–2010	44	59th	10 November 2003	36
58/12.	University for Peace	25	59th	10 November 2003	38
58/13.	Support by the United Nations system of the efforts of Governments to promote and consolidate new or restored democracies	20	62nd	17 November 2003	39
58/14.	Sustainable fisheries, including through the 1995 Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, and related instruments	52 (*b*)	64th	24 November 2003	41
58/15.	Preparations for and observance of the tenth anniversary of the International Year of the Family in 2004	106	68th	3 December 2003	310
58/16.	Responding to global threats and challenges	60	68th	3 December 2003	48
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58/19.	Division for Palestinian Rights of the Secretariat	38	68th	3 December 2003	52
58/20.	Special information programme on the question of Palestine of the Department of Public Information of the Secretariat	38	68th	3 December 2003	52
58/21.	Peaceful settlement of the question of Palestine	38	68th	3 December 2003	53
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58/24.	Emergency humanitarian assistance to Ethiopia	40 (*b*)	69th	5 December 2003	57
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58/28.	Objective information on military matters, including transparency of military expenditures	62 (*b*)	71st	8 December 2003	127
58/29.	Implementation of the Declaration of the Indian Ocean as a Zone of Peace	64	71st	8 December 2003	128
58/30.	African Nuclear-Weapon-Free Zone Treaty (Treaty of Pelindaba)	65	71st	8 December 2003	129
58/31.	Consolidation of the regime established by the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco)	66	71st	8 December 2003	130
58/32.	Developments in the field of information and telecommunications in the context of international security	68	71st	8 December 2003	131
58/33.	Role of science and technology in the context of international security and disarmament	69	71st	8 December 2003	132
58/34.	Establishment of a nuclear-weapon-free zone in the region of the Middle East	70	71st	8 December 2003	133

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58/35.	Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons	71	71st	8 December 2003	134
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58/40.	Prohibition of the dumping of radioactive wastes	73 (*b*)	71st	8 December 2003	140
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58/42.	National legislation on transfer of arms, military equipment and dual-use goods and technology	73 (*i*)	71st	8 December 2003	142
58/43.	Confidence-building measures in the regional and subregional context	73	71st	8 December 2003	142
58/44.	Promotion of multilateralism in the area of disarmament and non-proliferation	73 (*f*)	71st	8 December 2003	144
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58/46.	Follow-up to the advisory opinion of the International Court of Justice on the Legality of the Threat or Use of Nuclear Weapons	73 (*y*)	71st	8 December 2003	146
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58/50.	Reduction of non-strategic nuclear weapons	73 (*c*)	71st	8 December 2003	151
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58/52.	Implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction	73 (*v*)	71st	8 December 2003	157
58/53.	Implementation of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction	73 (*p*)	71st	8 December 2003	158
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58/55.	Promotion at the regional level in the Organization for Security and Cooperation in Europe of the United Nations programme of action on the illicit trade in small arms and light weapons in all its aspects	73	71st	8 December 2003	161
58/56.	Nuclear disarmament	73 (*t*)	71st	8 December 2003	162
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